

Trial Counsel Orientation
9 - 11 September, 2014

	Tuesday, 9 Sept	Wednesday, 10 Sept	Thursday, 11 Sept
0730			
0800	Class Welcome	TC Discovery (Maj Sameit)	Members Instructions (LCDR Stormer)
0830	TC Ethics & Ethos (Ms. Means, RTCs, & LCDR Stormer)		
0900		Article 32 Hearings (LtCol Lee/Maj Pehrson)	Sentencing (Capt Wright)
0930			
1000	TC Resources/TCAP Orientation (Maj Sameit & LCDR Stormer)	Article 10 and RCM 707 (Maj Hart)	SJA Perspective (LtCol Harvey)
1030			
1100	Experts (Mr. McMahon)	PTAs, Stips of Fact (Maj Workman)	View From The Bench (LtCol Thielemann)
1130			
1200	Lunch		
1230			
1300	Charging, Proof Analysis (Maj Catto)	Guilty Pleas (The Dive) (Maj Workman)	Post-Trial Process (Maj Hoover)
1330		Working With Victims / VLC (LCDR Stormer & Mr. Giles)	
1400	Admitting and Using Evidence at Trial (LtCol Lee/Maj Pehrson)		Appellate Issues (Capt Harris)
1430			
1500	VWAP (Maj Sameit)	Shaping Your Case with Motions (Ms. Means and LtCol Lee)	Regional Break-out Sessions (Navy, West, Pacific)
1530	FY14 NDAA (LtCol Wissman)		
1600			
1630			



Staff Judge Advocate
to the Commandant of the
United States Marine Corps



Western Region
TCAP Training Agenda

MCAS MIRAMAR, CA
FEBRUARY 3 - 7, 2014

Presented by
Trial Counsel Assistance Program (TCAP)
With support from
Reserve Trial Services Branch (JRTS), TJAGLCS, and LSSS-
West personnel

Admin
Breaks
Classroom
Practical Exercises

DAY 1: MONDAY, February 3rd 	
0 7 3 0 - 0 8 0 0	Introduction Maj Sameit, TCAP
0 8 0 0 - 1 1 0 0	Preparing Cases for Prosecution Mr. Vincent Bugliosi <ul style="list-style-type: none"> ❖ <i>Mr. Bugliosi is a retired Los Angeles County prosecutor. During his career, he successfully prosecuted over 30 murder cases and countless other felony cases, including the Charles Manson murder trial in the 1970s. He is also the author of several best-selling books regarding best practices in criminal trials.</i> ➤ <i>Instruction will discuss one-of-a-kind insight into the preparation and prosecution of a criminal case like no other person can.</i>
1 1 0 0 - 1 2 0 0	Lunch
1 2 0 0 - 1 4 5 0	Persuasion/Openings LTC Brauchler, USAR <ul style="list-style-type: none"> ❖ <i>George Brauchler is the District Attorney in Arapahoe County, CO - the largest judicial district in the state. His experience includes such high profile cases as the Columbine shootings and the Aurora theater shootings, as well as consultation with the prosecution on the Kobe Bryant rape case (conducting mock cross examination of victim).</i> ➤ <i>Instruction will discuss theories of persuasion and how to incorporate them into an effective courtroom presentation. The presenter will go over effective ways to advocate in court and provide illustrative examples.</i>
1 4 5 0 - 1 5 0 0	Break
1 5 0 0 - 1 6 0 0	Article 120 LtCol Winklosky <ul style="list-style-type: none"> ❖ <i>LtCol Winklosky currently serves as an Associate Professor, and the Department Vice-Chair of the Criminal Law Department at Army JAG School. He was previously the Officer-in-Charge at the Legal Services Support Section at 3rd Marine Logistics Group.</i> ➤ <i>Instruction will cover analysis of the "new new" Article 120, charging tips, and an update on legislative and executive processes.</i>
1 6 0 0 - 1 7 0 0	NCIS in Sexual Assault Cases Mr. Ben Yager, NCIS <ul style="list-style-type: none"> ➤ <i>Instruction will focus on the role and responsibility of NCIS in sexual assault investigations and a discussion of the capabilities NCIS brings to the sexual assault case.</i>

DAY 2: TUESDAY, February 4th |

0 7 3 0 – 0 9 5 0	<p>Opening Statement Practical Application In Small Groups</p> <ul style="list-style-type: none"> ➤ <i>TCs will deliver an opening statement on a case involving sexual assault. Comments on opening statements will focus on substance, style and technique. Projector will be made available if counsel wish to use PowerPoint for presentation.</i>
1 0 0 0 – 1 1 3 0	<p>Developing Case Theory/Strategy Ms. Gretchen Means, HQE LSSS-West</p> <ul style="list-style-type: none"> ➤ <i>Instruction will cover planning, developing and preparing a sexual assault case with a cohesive theory and strategy for presentation to a members panel or military judge.</i>
1 1 3 0 – 1 2 3 0	<p>Lunch</p>
1 2 3 0 – 1 3 3 0	<p>Class A - Toxicology Dr. Teri Stockham</p> <ul style="list-style-type: none"> ➤ <i>Instruction will cover an overview of the effects of alcohol and other chemicals on the human body and advice for using a toxicologist at trial.</i>
	<p>Class B – FY14 NDAA requirements for TCs Maj Sameit, TCAP</p> <ul style="list-style-type: none"> ➤ <i>Instruction will cover how the FY14 NDAA will affect trial counsel.</i>
1 3 3 0 – 1 4 5 0	<p>Preparing Victims / Direct Examination Ms. Gretchen Means, HQE LSSS-West</p> <ul style="list-style-type: none"> ➤ <i>Instruction will cover advice and practical tips on interviewing victims of sexual assault, preparing for trial testimony, and effectively developing testimony at trial.</i>
1 4 5 0 – 1 5 0 0	<p>Break</p>
1 5 0 0 – 1 6 0 0	<p>VLCO Maj Olson</p> <ul style="list-style-type: none"> ❖ <i>Maj Olson is the Deputy Director of the Marine Corps Victims' Legal Counsel Organization.</i> ➤ <i>Instruction will cover an introduction to and overview of the roles and responsibilities of the newly-created Marine Corps Victims' Legal Counsel Organization.</i>
1 6 0 0 – 1 7 0 0	<p>Cross Examination LtCol Leeds</p> <ul style="list-style-type: none"> ➤ <i>Instruction will cover effective ways to prepare for cross examination of the accused, with emphasis on sexual assault trials.</i>

DAY 3: WEDNESDAY, February 5th |

0 7 3 0 – 0 9 5 0	<p>Cross Examination Practical Application</p> <ul style="list-style-type: none"> ➤ <i>Students will conduct a cross examination of the accused in a sexual assault case. Evaluation will focus on substance, style and technique.</i>
1 0 0 0 – 1 1 0 0	<p>Expert Witnesses Maj. Hatch & Capt McNeilly</p> <ul style="list-style-type: none"> ➤ <i>Instruction will cover availability of various types of experts available for testimony/assistance in your case, practical advice and tips for working with and preparing experts for trial.</i>
1 1 0 0 – 1 2 0 0	<p>Lunch</p>
1 2 0 0 – 1 3 0 0	<p>Class A - DNA Ms. Dawn Bassett, USACIL</p> <ul style="list-style-type: none"> ➤ <i>Instruction will cover an overview of the science of DNA, its forensic applications, and advice for using a DNA expert at trial.</i>
	<p>Class B – Trial Counsel Orientation LCDR Sullivan, NJS</p> <ul style="list-style-type: none"> ➤ <i>Instruction will cover building an online Trial Counsel Orientation Course.</i>
1 3 0 0 – 1 4 0 0	<p>Sexual Assault Nurse Examinations (SANE) Ms. Susan Dickenson</p> <ul style="list-style-type: none"> ➤ <i>Instruction will cover an overview of the SAFE process and advice on using a SANE at trial.</i>
1 4 0 0 – 1 4 2 0	<p>SANE Mock Direct Capt Magee, TCAP</p> <ul style="list-style-type: none"> ➤ <i>Instruction will cover a mock direct on a SANE at trial.</i>
1 4 2 0 – 1 4 3 0	<p>Break</p>
1 4 3 0 – 1 5 3 0	<p>Victimology Dr. Wexler</p> <ul style="list-style-type: none"> ➤ <i>Instruction will cover an overview of victim behavior, psychological evidence, and advice on using a mental health expert at trial.</i>
1 5 3 0 – 1 6 0 0	<p>Demonstrative Evidence Ms. Gretchen Means, HQE LSSS-West & Capt Maloney</p> <ul style="list-style-type: none"> ➤ <i>Instruction will cover practical tips on how to present demonstrative evidence.</i>
1 6 0 0 – 1 7 0 0	<p>Closing Arguments Ms. Gretchen Means, HQE LSSS-West</p> <ul style="list-style-type: none"> ➤ <i>Instruction will cover rules and guidance on delivering a closing argument.</i>

DAY 4: THURSDAY, February 6th |

0 7 3 0 – 1 0 0 0	Closing Argument Practical Application <ul style="list-style-type: none">➤ <i>Students will conduct a closing argument for a sexual assault case. Evaluation will focus on substance, style and technique. Projector will be made available if counsel wish to use PowerPoint for presentation.</i>
1 0 1 0 – 1 2 0 0	Digital Forensics Mr. Don Flynn, DCFL <ul style="list-style-type: none">➤ <i>Instruction will cover an overview of digital forensics, best practices for identifying, securing, and utilizing sources of potential digital evidence in sexual assault cases.</i>
1 2 0 0 – 1 3 0 0	Lunch
1 3 0 0 – 1 3 5 0	Handling a CP Case Capt McNeilly <ul style="list-style-type: none">➤ <i>Instruction will cover advice on how TCs should process a child pornography case from beginning to end.</i>
1 4 0 0 – 1 5 2 0	App Case Law Update Maj Roberts, Code 46 <ul style="list-style-type: none">➤ <i>Instruction will cover recent decisions of the appellate courts, discussion of trends, and tips/advice to protect the record for appellate review.</i>
1 5 2 0 – 1 5 3 0	Break
1 5 3 0 – 1 6 2 0	Voir Dire LtCol Lee <ul style="list-style-type: none">➤ <i>Instruction will cover how to effectively voir dire a panel to discover their biases and ensure they are open to your case strategy.</i>
1 6 3 0 – 1 7 0 0	Sentencing Maj Mann <ul style="list-style-type: none">➤ <i>Instruction will cover how to admit sentencing evidence and how to effectively argue on sentencing.</i>

DAY 5: FRIDAY, February 7th |

0 7 3 0 – 0 9 2 0	<p>Sentencing Argument Practical Application</p> <ul style="list-style-type: none"> ➤ <i>TCs will deliver a sentencing argument on a case involving sexual assault. Comments on sentencing arguments will focus on substance, style and technique. Projector will be made available if counsel wish to use PowerPoint for presentation.</i>
0 9 3 0 – 1 0 3 0	<p>TC Ethics Maj Slabbekorn</p> <ul style="list-style-type: none"> ➤ <i>Instruction will cover a discussion of rules of professional responsibility governing trial counsel, ethical pitfalls, and practice tips for protecting trial counsel and other military justice personnel against ethics complaints.</i>
1 0 3 0 – 1 1 2 0	<p>SAPR Ms. Renee Ferranti</p> <ul style="list-style-type: none"> ➤ <i>Instruction will cover the Marine Corps Sexual Assault Prevention and Response Program with specific emphasis on responsibilities and obligations of judge advocates and law enforcement personnel.</i>
1 1 2 0 – 1 1 3 0	<p>Break</p>
1 1 3 0 – 1 2 0 0	<p>VWAP Maj Sameit, TCAP</p> <ul style="list-style-type: none"> ➤ <i>Instruction will cover practical advice for trial counsel to comply with the Victim Witness Assistance Program and the new Article 6b, UCMJ.</i>
1 2 0 0 – 1 2 3 0	<p>Closing Remarks / Critiques Maj Sameit, TCAP</p>

United States Marine JAG Corp

TCAP

TRIAL COUNSEL ASSISTANCE PROGRAM

**Hosted by
The United States Army Criminal Investigation Laboratory
Fort Gillem Enclave, Forest Park, Georgia
26 – 28 August 2014**

Administrative Time
Breaks
Lectures
Tours

DAY 1: TUESDAY, August 26, 2014

0 9 0 0 0 9 3 0	Welcome to the USACIL Laboratory Overview Ms. Anece Baxter White, DFSC Legal Support Attorney Classroom II
0 9 3 0 1 0 0 0	Case Management/Evidence Processing Brief Mr. Michael Hill, Operations Officer, USACIL Classroom II
1 0 0 0 1 1 0 0	Trace Evidence Lecture Classroom II
1 1 0 0 1 2 0 0	Trace Evidence Branch Tour Trace Evidence Branch
1 2 0 0 1 3 0 0	Lunch
1 3 0 0 1 4 0 0	Forensic Documents Lecture Classroom II
1 4 0 0 1 5 0 0	Forensic Documents Branch Tour Forensic Documents Branch
1 5 0 0 1 6 0 0	USACIL Discovery and Witness Request Polices Lecture Ms. Anece Baxter White Classroom II
1 6 0 0 1 7 0 0	New Developments TCAP Instructors Classroom II

DAY 2: WEDNESDAY, August 27, 2014

0 8 0 0 0 9 0 0	Direct Assistance by Appointment Ms. Anece Baxter White
0 9 0 0 1 0 0 0	Serology Lectures Classroom II
1 0 0 0 - 1 1 0 0	DNA Lecture Classroom II
1 1 0 0 1 2 0 0	DNA/Serology Tour DNA Branch
1 2 0 0 - 1 3 0 0	Lunch
1 3 0 0 - 1 4 0 0	Digital Evidence Lecture Classroom II
1 4 0 0 - 1 5 0 0	Audio/Visual Enhancement Lectures Classroom II
1 5 0 0 - 1 6 0 0	Imaging Lecture Classroom II
1 6 0 0 1 7 0 0	Digital Evidence Tour Digital Evidence Branch

DAY 3: THURSDAY, August 28, 2014

0 8 0 0 0 9 3 0	Drug Chemistry Lecture Classroom II
	Includes Drug Chemistry Branch Tour Drug Chemistry Branch
0 9 3 0 1 1 0 0	Latent Print Lecture Classroom II
	Includes Latent Print Branch Tour Latent Print Branch
1 1 0 0 1 2 0 0	Bullcoming, Williams, and Katso, and the Substitute Witness from a USACIL Perspective Ms. Anece Baxter White Classroom II
1 2 0 0 1 3 0 0	Lunch
1 3 0 0 1 5 0 0	Firearms and Toolmark's Lecture Classroom II
1 4 0 0 - 1 5 0 0	Includes Firearms and Toolmark Branch Tour Firearms and Toolmark Branch
1 5 0 0 - 1 6 0 0	Round Table Discussion Ms. Anece Baxter White Moderator Classroom II
1 6 0 0 - 1 7 0 0	Closing Remarks Ms. Anece Baxter White Classroom II

FEDERAL LAW ENFORCEMENT TRAINING CENTER

PROGRAM COORDINATOR: Tim Picard
PROGRAM SPECIALIST: Leila McKamey
TRAINING TECHNICIAN: Tish Ross

NAVAL CRIMINAL INVESTIGATIVE SERVICE
Advanced Family & Sexual Violence Training
CLASS NO: AFSVT-402

REVISED: 7/16/14
BLDG. NO: 216
ROOM NO: 252
WEEK NO: 1

AGENCY: NCIS

HOURS	MON	TUE	16SEP (1)	17SEP (2)	18SEP (3)	FRI	19SEP (4)
7:30		Welcome/Orientation NCIS Policy - Main Classroom		Child Physical Abuse	Intro to Forensic Interview	Psychological Aspects of Victims & Suspects	
8:30	Travel Day						
9:30		Div Chief Mo Evans NCIS Threat Management Unit	MCR		SA Dave Reid Understanding DV Injuries	Dr. Grace Chang, NCIS	
10:30							
10:30							
11:30		SA Sarah Griffin	MCR	Dr. Barbara Craig	SA Dave Reid	Dr. Grace Chang, NCIS	MCR
11:30 - 12:30	LUNCH						
12:30		Working with FAP in DV and Child Abuse Cases		Medical Evidence of Child Physical and Sex Abuse	Legal Aspects of DV	Psychosexual Developmental Guidelines	
1:30	Travel Day						
1:30							
2:30							
2:30							
3:30							
3:30							
4:30		Mr. William Harris Handout Cases for Review SA Dave Reid	MCR	Dr. Barbara Craig	Ms. Teresa Scalzo	Dr. Grace Chang, NCIS	MCR
AFTER							
4:30							

PROGRAM COORDINATOR: Tim Picard
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FEDERAL LAW ENFORCEMENT TRAINING CENTER
NAVAL CRIMINAL INVESTIGATIVE SERVICE
 Advanced Family & Sexual Violence Training
 CLASS NO: AFSVT-402

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 WEEK NO: 2

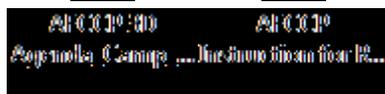
HOURS	MON 22SEP (5)	TUE 23SEP (6)	WED 24SEP (7)	THU 25SEP (8)	FRI 26SEP
7:30	Dynamics of DV	DV Risk Assessments, Plans Protocols PTSD/TBI Risk Factors	Investigating Intimate Partner Violence	Prosecutor's Perspective	Travel Day
8:30					
8:30					
9:30	Ms. Glenna Tinney MCR		Ms. Catherine Johnson		
9:30	NCMEC		Intimate Partner Sexual Assault		
10:30					
10:30					
11:30	SA Tim Picard MCR	Dr. Michael Sweda MCR	Ms. Catherine Johnson MCR	LCDR Jaimica Giarraputo MCR	
11:30 - 12:30	LUNCH				
12:30	NCMEC	Legal Aspects of Child Abuse	Investigation of Child Physical and Sex Abuse- Case Presentations	DV Investigations - Case Presentations	Travel Day
1:30					
1:30					
2:30	SA Tim Picard MCR				
2:30	Stalking				
3:30					
3:30					
4:30	Stalking Resource Center Ms. Michelle Garcia MCR	Mr. Rob Giles MCR	SA Dave Reid MCR	Various Instructors Critiques and Graduation MCR	
AFTER 4:30	Hand out Cases for Review				

July 14, 2014

Monday

9:00 AM - 12:00 AM

OPTIONAL - Multidisciplinary Approach to Child Maltreatment Evaluations & Investigations -- Camp Lejeune O'Club



July 15, 2014

Tuesday

All Day

OPTIONAL - Multidisciplinary Approach to Child Maltreatment Evaluations & Investigations -- Camp Lejeune O'Club

Please See Above

July 16, 2014

Wednesday

12:00 AM - 4:30 PM

OPTIONAL - Multidisciplinary Approach to Child Maltreatment Evaluations & Investigations -- Camp Lejeune O'Club

Please See Above

July 17, 2014

Thursday

8:00 AM - 10:00 AM

Kevin Peden & Carol Peden - Peden Digital Forensics -- notes

I would like you to instruct on all of the topics you mentioned below:

- . General digital forensic issues
- . What is digital forensics and what can it be applied to
- . Detailed understanding on digital evidence pertaining to sexual crimes (120 cases, child mistreatment, child pornography, etc.)
- . Detailed understanding on how digital evidence can be used in other crimes (drugs, homicides, embezzlement, etc.)
- . Forensic information pertaining to tablets and mobile devices (phones , iPad, tablets)
- . Recommendation on how to effectively use forensic experts in GCMs and other procedures

10:00 AM - 11:00 AM

LtCol Evan Roberts - A View from the Bench

11:00 AM - 12:00 PM

LtCol Adam Subervi

July 17, 2014 Continued

Thursday

12:00 PM - 1:00 PM

Lunch

1:00 PM - 3:30 PM

David Ball -- notes

Proposed syllabus:

- 1) Member voir dire
 - How to decide what to ask in a sexual assault case
 - How to word questions
 - How to follow up answers
 - How to use the results
 - Ethics of voir dire
- 2) Opening statement
 - How to sequence
 - What to include
 - Avoiding TMI (Too Much Information), legalese, and other pitfalls
 - Ethics of opening statement
- 3) Closing argument
 - Arming the factfinder
 - Using the law
 - The pitfall of "marshaling"
- 4) Strategizing a sexual assault prosecution case
- 5) Neuroscience and fact-finder decision-making
- 6) The Prosecutor vis a vis Factfinder: "Winning + Ethics."

3:30 PM - 4:30 PM

Maj Kaza - Appellate-proofing Your Case

5:00 PM - 7:00 PM

No-host Social -- Follow Me Bar

July 18, 2014

Friday

8:00 AM - 9:00 AM

Capt Kevin Knightly - DES -- notes

-Disability Evaluation System overview and also as it pertains to issues faced by sexual assault victims

9:00 AM - 10:00 AM

Ms. Kathleen Muldoon - Cross examination of the Accused I

10:00 AM - 11:00 AM

Ms. Kathleen Muldoon - Cross examination of the Accused II

11:00 AM - 12:00 PM

Maj Eckert - Discovery and Disclosure

12:00 PM - 1:00 PM

Lunch / Mr. Muscat set up time

1:00 PM - 3:00 PM

Patrick Muscat - Wayne County Prosecutor's Office -- notes

The Visual Trial lecture with Q/A-This lecture will demonstrate cutting edge courtroom technology techniques and strategies with a focus on sexual assault cases.

July 18, 2014 Continued

Friday

3:00 PM - 5:00 PM

Mr. Muscat lab/consultation time with counsel -- notes
Consult with attorneys regarding pending cases

Syllabus for May 1-2 RTC Training

Thursday May 1, 2014 LSSS-PAC Camp Foster, Okinawa

<u>TIME</u>	<u>ACTIVITY</u>	<u>Instructor(s)</u>
0730-0800	Admin/Check in	LCpl Moreno
0800-0815	Mensore	Col Henry/Lt Col Lee
0815-0930	Working with Law Enforcement (What they can do and how they do it)	NCIS/CID/PMO
0930-0945	Break	All
0945-1100	Understanding your Primary Witness	Psychologist
1100-1200	Prosecutorial Ethics	Panel
1200-1330	PT/Chow	All
1330-1445	Working with Challenging Witnesses	McMahon-HQE
1445-1500	Break	All
1500-1615	New Law/Rules/Regulations (Focusing on Article 120)	LtCol Lee
1615-1645	Q&A	Panel

FRIDAY MAY 2nd

0730-0800	Admin/Check in/updates	LCpl Moreno
0800-0900	Your SAFE Nurse on Okinawa	LCdr Haase
0900-0930	Sample Direct of SAFE witness	Maj. Hoover/tbd
0930-1000	Meet your Witness	TC/SAFE Nurses
1000-1200	Practical Exercise	Teams
1200-1330	PT/Chow	All
1330-1400	PE con't/Critique	
1400-1600	Forensic Toxicology PE	Teams

REGIONAL TRIAL COUNSEL TRAINING AGENDA

Joint Reception Center / Pacific Views Events Center

Enlisted Training

15-16 May 2014

DAY 1

TIME	TOPIC
0800-0915	Discovery / CMS <i>GySgt Williams</i> *At JRC*
0920-1015	SharePoint <i>SSgt Cole</i>
1020-1100	DTS for Witnesses / Results of Trial <i>Sgt Gentle</i>
1100-1230	Lunch *After lunch, training is located at Pacific Views*
1230-1700	RTC and STC Case Review and Consultation: Deep Dive/murder board opening exercise with focus on <i>active contested sexual assault cases</i>

DAY 2

TIME	TOPIC
0800-0930	Trial Security Assessments / Subpoena Service / RTI Mission and Capabilities Overview <i>GySgt Hawks / SSgt Duran</i> *At JRC*
0945-1100	MCM Familiarization / Prac App <i>Cpl Cameron</i>
1100-1230	Lunch *After lunch, training is located at Pacific Views*
1230-1430	RTC and STC Case Review and Consultation: Deep drive/murder board opening exercise with focus on <i>active contested sexual assault cases</i>
1430-1500	Closing Remarks <i>Col Miner and Maj Doug Hatch</i>

REGIONAL TRIAL COUNSEL TRAINING AGENDA

Pacific Views Events Center

15-16 May 2014

DAY 1

TIME	TOPIC
0800-0815	Introductory Remarks and Status Updates by RTC <i>Maj Doug Hatch</i>
0815-0845	FY14 NDAA Review and Practice Pointers <i>Maj Doug Hatch</i>
0855-0925	Working with RTI's to More Effectively Prosecute Sexual Assault Cases <i>GySgt J. C. Hawks and Maj Doug Hatch</i>
0925-1130	Brady and Other Discovery Considerations in Sexual Assault Cases <i>Assistant District Attorney, County of San Diego</i>
1130-1230	Lunch
1230-1700	RTC and STC Case Review and Consultation: Deep Dive/murder board opening exercise with focus on <i>active contested sexual assault cases</i>

DAY 2

TIME	TOPIC
0800-0850	TOP 10 Best Practices For Case Review and Processing <i>Ms. Gretchen Means and Maj Doug Hatch</i>
0900-0930	Proper Techniques for Impeachment, Past Recollection Recorded, and Past Recollection Refreshed <i>Capt Peter McNeilly</i>
0935-1010	Practical Application for Impeachment, Past Recollection Recorded, and Past Recollection Refreshed <i>Breakout Instructors</i>
1020-1130	How to Keep the Right Stuff OUT <i>Ms. Gretchen Means</i>
1130-1230	Lunch
1230-1430	RTC and STC Case Review and Consultation: Deep drive/murder board opening exercise with focus on <i>active contested sexual assault cases</i>
1430-1500	Closing Remarks <i>Col Miner and Maj Doug Hatch</i>

TCAP Annual Training - FY 15

ALPHA GROUP AND ENLISTED

	Monday	Tuesday	Wednesday	Thursday	Friday		
0730							
0745	Intro, The New Art 32, and Discovery (Maj Mark Sameit)	Alpha Group (Opening Statements) Breakout Rooms	Alpha Group (Cross Examination) Breakout Rooms	Alpha Group (Closing Argument) Breakout Rooms			
0800							
0815							
0830	TC Ethics (LtCol Chris Thielemann)	Enlisted Group (Lexis Nexis) Distance Learning Center inside Bldg 5305	Enlisted Group (Lexis Nexis) Distance Learning Center inside Bldg 5305	Enlisted Group 4/5th Amend (Cole & Dripps) The Miramar Room	Closing Remarks (MajGen John Ewers)		
0845					Regional TCOY Awards		
0900					Break		
0915	Break				Break		
0930	Working with Victims (Kathleen Muldoon)				NDA FY14 Implementation (Col Dwight Sullivan)		
0945		Break	Break	Break	Break		
1000	Lunch	DNA (Donna Ioannidis)	SANE Examinations (Anita Brown)	Appellate Proofing Your Case (Code 46 / Connor Lamb)	Utilization of 4421s (MGySgt Scott Goss)		
1015					Sample DNA Direct	SANE Direct	Overview of SA Requirements (Col John Baker)
1030					Lunch	Lunch	Lunch
1045					Closing Remarks		
1100	Trying an Intox Sex Assault Case (Gretchen Means)	Reading an NCIS ROI (SA Jason Keller)	VWAP (Maj Mark Sameit)	Toxicology (Dr. Eric Shimomura)			
1115						Break	
1130							
1145							
1200							
1215							
1230							
1245							
1300							
1315							
1330							
1345							
1400	Break						
1415		Break					
1430	Trying an Intox Sex Assault Case (Gretchen Means)	Cross Exam of Accused (Jack McMahon)	Victimology (Dr. Connie Best)	SAPR (Renee Ferranti)			
1445						Break	
1500					Sample Accused Cross		
1515							
1530		Break					
1545							
1600							
1615	Break						
1630	LexisNexis Expert Search (Kelly Swank)	Direct Examination (Gretchen Means)					
1645							
1700				MESS NIGHT			

TCAP Annual Training - FY 15

BRAVO GROUP

	Monday	Tuesday	Wednesday	Thursday	Friday	
0730	Intro, The New Art 32, and Discovery (Maj Mark Sameit)	Child Physical and Sexual Abuse Overview (Dr. Barbara Craig)	Child Forensic Interviews (Laurie Fortin)	Domestic Violence Overview (Maureen Keough)		
0745						
0800						
0815						
0830	TC Ethics (LtCol Chris Thielemann)				Break	Closing Remarks (MajGen John Ewers)
0845				Break	Handling DV Case with Uncooperative Victim (Maureen Keough)	Regional TCOY Awards
0900				Break		
0915			Working with Child Victims (Jack McMahon)	Digital Evidence (Kelly Rhodes)	NDA FY14 Implementation (Col Dwight Sullivan)	
0930	Break					
0945	Working with Victims (Kathleen Muldoon)		Break			
1000				Break		
1015			Break			
1030			Appellate Proofing Your Case (Code 46 / Connor Lamb)		Break	
1045	Lunch	Understanding Abusive Head Trauma (Dr. Robert Corliss)		Mobile Evidence (Lee Reiber)	Utilization of 4421s (MGySgt Scott Goss)	
1100						Overview of SA Requirements (Col John Baker)
1115						
1130						
1145						
1200	Trying an Intox Sex Assault Case (Gretchen Means)				Closing Remarks	
1215		Lunch	Lunch	Lunch		
1230						
1245						
1300			Understanding Abusive Head Trauma (Dr. Robert Corliss)	FBI's Cellular Analysis Support Team (CAST) (Maj John Kellner / SA Scott Eicher)	Prac App (Closing/Cross) Breakout Rooms	
1315						
1330						
1345						
1400	Break					
1415		Break				
1430	Trying an Intox Sex Assault Case (Gretchen Means)		Break			
1445		Prosecution of AHT (Robert Parrish)	Murder Boards Breakout Rooms			
1500						
1515						
1530						
1545						
1600						
1615	Break					
1630	LexisNexis Expert Search (Kelly Swank)					
1645						
1700				MESS NIGHT		

M, F: The Miramar Room, Bldg 5305

T, W, Th: Reserve Support Unit, Bldg 8671

Special Victim Capability Course
Miramar, CA
September 23 - 25, 2015

Wednesday, September 23

- 7:00 – 7:30 a.m. **Arrival/Registration**
- 7:30 – 7:45 a.m. **Welcome/Overview**
 LT Denise Romeo, Code 20, OJAG
- 7:45 – 9:15 a.m. **Victim Rights**
 Ms. Meg Garvin, Director, National Crime Victim Law Institute
- 9:15 – 10:45 a.m. **Neurobiology of Trauma**
 Dr. Christopher Wilson, Psy. D., licensed psychologist, speaker, and trainer based in Portland, Oregon
- 10:45 – 11:00 a.m. Break
- 11:00 – 12:00 p.m. **LN Support & Program Overview**
 LNCM Tim Ayoub, Defense Service Office West
- 12:00 – 1:30 p.m. LUNCH
- 1:30 – 2:30 p.m. **Special Victim Capability and Naval Criminal Investigative Service**
 NAME TBD, Special Agent, NCIS
- 2:30 – 3:30 p.m. **SAPR Program Overview, Policy and Guidance**
 Ms. Tanya Rogers, SAPR Program, USN
- 3:30 – 3:45 p.m. Break
- 3:45 – 5:15 p.m. **Direct Examination and Cross Examination Demonstration**
 LCDR Stuart Kirkby, Code 20, OJAG
 LCDR Jim Toohey, VLCP USN

Thursday, September 24

- 7:30 – 9:00 a.m. **Victims' Legal Counsel Program**
 LCDR Jim Toohey, VLCP, USN
 Capt Sean Monks, VLCP, USMC
- 9:00 – 10:15 a.m. **Family Advocacy Program Overview, Policy, and Guidance**
 Ms. Lolita Allen, Family Advocacy Program, USN
 Ms. Najah Barton, Victim Advocacy Program Manager, USMC

- 10:15 – 10:30 a.m. Break
- 10:30 – 11:30 a.m. **Transitional Compensation**
Ms. Najah Barton, Victim Advocacy Program Manager, USMC
- 11:30 – 1:00 p.m. LUNCH
- 1:00 – 2:00 p.m. **The Dynamics of Domestic Violence**
Ms. Lolita Allen, Family Advocacy Program Manager, USN
Ms. Najah Barton, Victim Advocacy Program Manager, USMC
- 2:00 – 3:00 p.m. **Child Physical and Sexual Abuse**
LCDR Sarah Villarroel, M.D., Child Abuse Pediatrician, USN
- 3:00 – 3:15 p.m. Break
- 3:15 – 4:15 p.m. **Commander Responsibilities in Special Victim Cases**
LT Denise Romeo, Code 20, OJAG
- 4:15 – 5:30 p.m. **Executive Orders and the NDAA FY15**
LCDR Stuart Kirkby, Code 20, OJAG

Friday, September 25

- 8:00 – 9:00 a.m. **Vicarious Trauma and Suicide**
LT Denise Romeo, Code 20, OJAG
- 9:00 – 10:30 a.m. **Appellate Practice**
Maj Suzanne Dempsey, Code 46, OJAG
- 10:30 – 11:45 a.m. **VWAP, Privilege, Confidentiality, and the Rape Shield Statute**
Maj Jesse Schweig, OIC, TCAP, USMC
- 11:45 – 12:00 p.m. **Questions, Closing Remarks**
LT Denise Romeo, Code 20, OJAG



Protecting Children Online for Prosecutors

Jimmy Ryce Law Enforcement Training Center

April 6, 2015 - April 10, 2015 | Alexandria, VA

Day 1 – Monday, April 6, 2015	
8:00 am – 10:00 am	<p>Welcome and Administrative Announcements</p> <p>Overview</p> <p><i>Kea Jones, NCIS – Military Criminal Investigative Organizations Liaison, National Center for Missing and Exploited Children</i> Confirmed</p> <p><i>Adam Brose, USACIDC – Military Criminal Investigative Organizations Liaison, National Center for Missing and Exploited Children</i> Confirmed</p> <p>Resources</p> <p><i>Dan Mills, Program Specialist, Training & Outreach - National Center for Missing & Exploited Children, Alexandria, VA</i></p>
10:00 am – 10:15 am	Break
10:15 am – 12:00 pm	<p>Technology-Facilitated Crimes Against Children</p> <p><i>Elliott Cohen, Corporal - Maryland State Police, Columbia, MD</i></p> <p>This module provides an overview to assist with understanding the problem of computer-facilitated crimes against children, including, but not limited to, online enticement and child pornography distribution. Attendees will be exposed to investigative tools, techniques and online environments used to exploit children. Actual case examples are used in this module to demonstrate the types of crimes prosecutors will typically encounter. Using real case examples, attendees will learn how both offenders and investigators use similar techniques within online environments. Throughout the presentation, participants are encouraged to share their experiences and ask questions which contribute to developing a better understanding with these cases. Confirmed</p>
12:00 pm – 12:45 pm	Working Lunch (provided)
12:45 pm – 1:45 pm	<p>Technology-Facilitated Crimes Against Children, continued</p> <p><i>Elliott Cohen, Corporal - Maryland State Police, Columbia, MD</i> Confirmed</p>
1:45 pm – 2:00 pm	Break
2:00 pm – 5:00 pm	<p>#cyberoffenses: Trending Topics Related to Offenders</p> <p><i>Elizabeth Griffin, Licensed Marriage Counselor and Family Therapist - Internet Behavior Consulting, Eden Prairie, MN</i></p> <p>This module will present various models for understanding sex offenders in the online world. The latest research on both child pornography offenders and solicitation offenders will be discussed. Offender dynamics and characteristics will be presented as</p>

	part of this module, and the differences between offline and online sexual offenders will be highlighted. Issues related to community risk and management will also be addressed. Confirmed
Day 2 – Tuesday, April 7	
8:00 am – 12:00 pm	Technical Overview <i>Elliott Cohen, Corporal - Maryland State Police, Columbia, MD</i> This module will provide participants with information and examples of the various methods and tools used in the exploitation of children online. It is designed for all levels of prosecutorial personnel. Emphasis will be placed on the demonstration of computer technologies that are used by sexual predators to commit crimes against children. Confirmed
12:00 pm – 12:45 pm	Working Lunch (provided)
12:45 pm – 2:45 pm	Preparing and Presenting the Case in Chief <i>Jeffrey Dort, J.D. - San Diego District Attorney's Office, San Diego, CA</i> This module will stimulate discussion and provide suggestions regarding the preparation and presentation of evidence in a computer-based child exploitation case. Topics to be discussed include: exhibit management, presentation methods, jury selection, admissibility, and authentication of computer evidence, as well as preserving the record. Confirmed
2:45 pm – 3:00 pm	Break
3:00 pm – 5:00 pm	Preparing and Presenting the Case in Chief, continued <i>Jeffrey Dort, J.D. - San Diego District Attorney's Office, San Diego, CA</i> Confirmed
Day 3 – Wednesday, April 8	
8:00 am – 12:00 pm	Search and Seizure of Electronic Evidence <i>Charles Gillingham, Prosecutor, Santa Clara County, San Jose, CA</i> This module is designed to provide participants with a comprehensive overview of privacy, search and seizure, and ethical issues, as well as legal exposure attendant with the investigation and prosecution of computer assisted sexual exploitation of children. Participants will be instructed on the most recent court rulings in relevant cases and what the legal analysis means for the investigation and prosecution protocol. This module will also discuss effective strategic and tactical uses of pre-trial motions in child exploitation cases. Confirmed
12:00 pm – 12:45 pm	Working Lunch (provided)
12:45 pm – 2:30 pm	Search and Seizure of Electronic Evidence, <i>continued</i> <i>Charles Gillingham, Prosecutor, Santa Clara County, San Jose, CA</i> Confirmed
2:30 pm – 2:45 pm	Break

Day 3 – Wednesday, April 8, continued

2:45 pm – 5:00 pm	<p>Exploited Children Division – CyberTipline and Child Victim Identification Program <i>Shelley Allwang, Supervisor, Child Victim Identification Program - National Center for Missing & Exploited Children, Alexandria, VA</i></p> <p>This module will provide participants with an understanding of the missing and free services for law enforcement provided by NCMEC’s Exploited Children Division. Participants will be provided information on the CyberTipline, including how it can generate, deconflict, and corroborate cases related to computer-facilitated crimes against children. Specific issues of child victimization will be presented. Efforts of the Child Victim Identification Program (CVIP) to assist law enforcement in the prosecution of these cases and help rescue unidentified sexually exploited children, will also be explained. There will be several illustrations of how child victims depicted in child pornography have been identified all over the world, and various investigative strategies to aid in the identification of unknown child victims will be presented. Participants will learn statistics such as the age of the child victims seen in these abusive images/videos, the relationship of the abuser to child victim, and how abusers use child pornography collections as a form of blackmail to silence the victim. Confirmed</p> <p>Office of Legal Counsel <i>Yiota Souras, Litigation Counsel - National Center for Missing & Exploited Children, Alexandria, VA</i></p> <p>This module will allow a discussion on issues relating to the admissibility and use of NCMEC’s CyberTipline and Technical Assistance reports in child pornography and child sexual exploitation prosecutions, in light of the decision in <i>United States v. Cameron</i>, 699 F.3d 621 (1st Cir. 2012) Confirmed</p>
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Day 4 – Thursday, April 9

8:00 am – 12:00 pm	<p>The Medical Role in Child Sexual Exploitation <i>Sharon Cooper, M.D. - CEO, Developmental and Forensic Pediatrics, Fayetteville, NC</i></p> <p>The role of medical personnel in child sexual exploitation will be examined in this module. Child psychosexual and physical development, as well as age ranges for maturational milestones will be reviewed and discussed. Concerns regarding the long term complications of sexual exploitation, including sexually transmitted diseases and physical trauma in child prostitution, psychological effects of computer solicitation, and the cited long term consequences of child pornography in association with child sexual abuse, will be reviewed. Recent controversies and sexual assault definitions within the context of sexual exploitation will be discussed. Confirmed</p>
12:00 pm – 12:45 pm	Working Lunch (provided)

Day 4 – Thursday, April 9, continued	
12:45 pm – 2:30 pm	<p>Expert Testimony – Law & Practice <i>Judy Johnston, J.D. - Hennepin County Attorney’s Office, Minneapolis, MN</i> This module presents the legal principles underlying expert testimony under Daubert. Examples of proper and improper expert opinions in sexual exploitation cases in general, and child pornography cases in particular, will be given. In addition, expert medical testimony and the Tanner Scale to establish age will be presented. Confirmed</p>
2:30 pm – 2:45 pm	<p>Break</p>
2:45 pm – 5:00 pm	<p>Computer Crime Investigative Unit (CCIU) Confirmed <i>Fran Walterhouse and Kerry Cuneo, CCIU</i> This module will discuss effective affidavit writing of cyber-based child exploitation offenses when seeking a warrant for social media account data, statutory cyber-crime offenses as charged on a military charge sheet and changes in the law regarding cyber-stalking. (Final description is forthcoming)</p>
Day 5 – Friday, April 10	
8:00 am – 10:00 am	<p>Charging Child Pornography-Related Offenses Under the UCMJ <i>Rick Mathew, Captain Confirmed</i> This module is intended to provide an overview of how to charge child pornography crimes under the UCMJ and take the case through a contested trial or a guilty plea. The goal is to pull together the information learned from other blocks of instruction and apply them in the context of a military case.</p>
10:00 am – 10:15 am	<p>Break</p>
10:15 am – 11:30 am	<p>Armed Forces Center for Child Protection (AFCCP) <i>Forensic Pediatrician – Need name of presenter and description</i></p>
11:30 am – 12:00 pm	<p>Evaluations and Closing <i>Judy Johnston, J.D. - Hennepin County Attorney’s Office, Minneapolis, MN</i></p>

August 10, 2015 - August 14, 2015

August 2015

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September 2015

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	10 Monday	11 Tuesday	12 Wednesday	13 Thursday	14 Friday
7 am					
8 ⁰⁰	Intro/Admin	Preparing Children for Court Julia Hejazi	Medical Aspects of Strangulation Gael Strack	The Link: Animal Abuse, Child Abuse and Domestic Violence Allie Phillips	
9 ⁰⁰	Building/ Corroborating DV and CA Cases Ms. Hejazi and LtCol Thielemann				
10 ⁰⁰		Making Sense of It All: Voir Dire, Using Experts and Techniques for Working with Reluctant and Recanting Victims CDR Luken/LCDR Stormer	Legal Aspects of Strangulation Gael Strack	Trial Advocacy Exercises Directs of Victim Behavior Expert/ Reluctant DV Victim	Sentencing Strategies for Domestic Violence LCDR Owens
11 ⁰⁰	Child Forensic Interviews: Practitioner's Prospective Elizabeth Smith				
12 ^{pm}	LUNCH	LUNCH	LUNCH	LUNCH	Professional Responsibility LtCol Thielemann
1 ⁰⁰		Forensic Interviewer Exercise	Small Group Strategy Session	Psychology of Domestic Violence: Understanding Offenders and Victims Scott Miller	The Visual Closing
2 ⁰⁰	Child Forensic Interviews: Legal Issues Rob Giles				
3 ⁰⁰	Injuries and Medical Evidence in CA Cases Dr. Michelle Clayton				
4 ⁰⁰			Assessing Risk and Lethality in Domestic Mike DeFamio, NCIS	Small Group Strategy Session	
5 ⁰⁰			Overview of Recent Legal and Policy LCDR Kate Shovlin		
6 ⁰⁰					Closing Remarks

TCAP

TRIAL COUNSEL

ASSISTANCE PROGRAM

Hosted by
The U.S. Army Criminal Investigation Laboratory
USACIL
Fort Gillem Enclave, Forest Park, Georgia
14–16 July 2015

Administrative Time
Breaks
Lectures
Tours

DAY 1: TUESDAY, July 14, 2015

0 9 0 0 0 9 3 0	Welcome to the USACIL Laboratory Overview Ms. Anece Baxter White, DFSC Legal Support Attorney
0 9 3 0 1 0 0 0	CODIS Lecture
1 0 0 0 1 1 0 0	Trace Evidence Lecture
1 1 0 0 1 2 0 0	Trace Evidence Branch Tour Trace Evidence Branch
1 2 0 0 1 3 0 0	Lunch
1 3 0 0 1 4 0 0	Forensic Documents Lecture
1 4 0 0 1 5 0 0	Forensic Documents Branch Tour Forensic Documents Branch
1 5 0 0 1 6 0 0	USACIL Discovery and Witness Request Polices Lecture Ms. Anece Baxter White
1 6 0 0 1 7 0 0	New Developments TCAP Instructors

DAY 2: WEDNESDAY, July 15, 2015

0 8 0 0 - 0 9 0 0	Bullcoming, Williams, and Katso, and the Substitute Witness from a USACIL Perspective Ms. Anece Baxter White
0 9 0 0 - 1 0 0 0	Serology Lecture
1 0 0 0 - 1 1 0 0	DNA Lecture
1 1 0 0 - 1 2 0 0	DNA/Serology Tour DNA Branch
1 2 0 0 - 1 3 0 0	Lunch
1 3 0 0 - 1 4 0 0	Digital Evidence Lecture
1 4 0 0 - 1 5 0 0	Audio/Visual Enhancement Lectures
1 5 0 0 - 1 6 0 0	Imaging Lecture
1 6 0 0 - 1 7 0 0	Digital Evidence Tour Digital Evidence Branch

DAY 3: THURSDAY, July 16, 2015

0 8 0 0	1 0 0 0	Drug Chemistry Lecture
		Includes Drug Chemistry Branch Tour Drug Chemistry Branch
1 0 0 0	1 2 0 0	Latent Print Lecture
		Includes Latent Print Branch Tour Latent Print Branch
1 2 0 0	1 3 0 0	Lunch
1 3 0 0	1 5 0 0	Firearms and Toolmark's Lecture
		Includes Firearms and Toolmark Branch Tour Firearms and Toolmark Branch
1 5 0 0	- 1 6 0 0	Round Table Discussion Moderator Ms. Anece Baxter White
1 6 0 0	- 1 7 0 0	Closing Remarks Ms. Anece Baxter White

July 09, 2015

Thursday

8:00 AM - 8:20 AM	Remarks by Circuit Military Judge - Colonel P. S. Rubin
8:20 AM - 8:50 AM	1stLt McKenna - Overview of prosecuting an Art 112a case
8:50 AM - 9:00 AM	Break
9:00 AM - 9:50 AM	Mr. Robert Sroka, Navy Drug Screening Laboratory, Jacksonville, FL - Part I
9:50 AM - 10:00 AM	Break
10:00 AM - 10:30 AM	Mr. Robert Sroka, Navy Drug Screening Laboratory, Jacksonville, FL - Part II
10:30 AM - 10:50 AM	Capt Spindler & 1stLt Korges - Investigating and Assessing Drug Case Dispositions
10:50 AM - 11:00 AM	Break
11:00 AM - 11:50 AM	Capt Mossor & 1stLt McKenna - Direct examination of a toxicologist + hearsay & confrontation issues with the litigation package
11:50 AM - 1:00 PM	Lunch
1:00 PM - 1:30 PM	Maj John Kellner - Overview of the Controlled Substances Analogue Act
1:30 PM - 1:40 PM	Break
1:40 PM - 2:10 PM	Capt Engell - Effective Use of Subpoenas
2:10 PM - 2:20 PM	Break
2:20 PM - 3:10 PM	Maj John Kellner - Investigative Techniques
3:10 PM - 3:20 PM	Break
3:20 PM - 4:10 PM	Maj Repair - Cross-examining the Accused & overcoming common defenses

July 10, 2015

Friday

8:00 AM - 8:30 AM	Law Enforcement Roles In Investigating an Art 112a case - NCIS
8:30 AM - 8:40 AM	Break

July 10, 2015 Continued

Friday

8:40 AM - 9:10 AM	CIs/CWs, Brady, Jencks and other ethics issues - Ms. Muldoon
9:10 AM - 9:20 AM	Break
9:20 AM - 10:10 AM	Immunity & the Art 112a case - Maj King
10:10 AM - 10:20 AM	Break
10:20 AM - 11:10 AM	Small Groups - openings/closings/themes/theories - getting the permissive inference

**Multidisciplinary Approach to Child Maltreatment
Evaluations and Investigations**

**Given by the Armed Forces Center for Child Protection
At MCAS Iwakuni, Japan**



Day 1: Wednesday, November 19, 2014

0730-0745: Registration

0745-0800: Welcome/Introduction

0800 - 0815: 00 - Armed Forces Center for Child Protection **Barbara Craig, MD**

0815 - 0915: 01 - Factitious disorder (Munchausen by Proxy) **Barbara Craig, MD**

0915-0925: *Break*

0925-1025: 02 - Bruises, bites, and burns **Donna Kahn, PhD**

1025-1035: *Break*

1035-1135: 03 - Child Neglect **Donna Kahn, PhD**

1135-1245: *Lunch*

1245-1345: 04 - Fractures in children – when to be concerned and what to do
Barbara Craig, MD

1345-1400: *Break*

**1400-1500: 05- Non-accidental head injury – recognition, complete medical evaluations
and advanced controversies** **Barbara Craig, MD**

1500-1515: *Break*

1515-1615: 06 – Cutting and self-harm **Donna Kahn, PhD**

Multidisciplinary Approach to Child Maltreatment

Day 2: Thursday, 20 November 2014

Track One: Advanced medical issues in child sexual abuse (target audience: Health-care providers and those in other disciplines wanting a deeper understanding of the physical exam findings in child sexual abuse – no SW CEU offered for this track)

0800-1030: 07 - Genital exams: What's normal, what's not
Barbara Craig, MD

1030-1045: Break

1045-1145: 08 - Genital bleeding in kids – case presentations
Barbara Craig, MD

1145-1245: *Lunch*

Track Two: Medical and social issues in child sexual abuse (target audience: non-medical multi-disciplinary professionals)

0800 -1030: 09 - Sexualized behaviors and other medical issues in child sexual abuse
Donna Kahn, PhD

1030 -1045: *Break*

1045-1145: 10 - Working groups: Child sexual abuse scenarios
Donna Kahn, PhD

1145 -1245: *Lunch*

(At 1245 both track one and track two together)

1245-1345: 11- Child on child sexual abuse
Donna Kahn, PhD

1345-1400: *Break*

1400-1500: 12 - Parental distractions and child maltreatment
Barbara Craig, MD

1500-1515: *Break*

1515-1615: 13 - Adverse Childhood Experiences – how ACE impacts the health and well-being of adults
Barbara Craig, MD

1615-1630: Course Evaluations and Certificates



**Armed Forces Center for Child Protection
Walter Reed National Military Medical Center
8901 Wisconsin Avenue, Bethesda, Maryland 20889-5600
Office Phone: (301) 295-4100/DSN 295-4100
(877) 295-4100 (Toll-free within CONUS)
(877) 270-2492 (Toll-free from OVERSEAS)
Facsimile: Commercial (301) 295-2657 or DSN 295-2657**

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FEDERAL LAW ENFORCEMENT TRAINING CENTER

PROGRAM COORDINATOR: Tim Picard
PROGRAM SPECIALIST: Leila McKamey
TRAINING TECHNICIAN: Tish Ross

NAVAL CRIMINAL INVESTIGATIVE SERVICE
Advanced Family & Sexual Violence Training
CLASS NO: AFSVT-402

REVISED: 7/16/14
BLDG. NO: 216
ROOM NO: 252
WEEK NO: 1

AGENCY: NCIS

HOURS	MON	TUE	16SEP (1)	17SEP (2)	18SEP (3)	FRI	19SEP (4)
7:30		Welcome/Orientation NCIS Policy - Main Classroom		Child Physical Abuse	Intro to Forensic Interview	Psychological Aspects of Victims & Suspects	
8:30	Travel Day						
9:30		Div Chief Mo Evans NCIS Threat Management Unit	MCR		SA Dave Reid Understanding DV Injuries	Dr. Grace Chang, NCIS	
10:30							
11:30		SA Sarah Griffin	MCR	Dr. Barbara Craig	SA Dave Reid	Dr. Grace Chang, NCIS	MCR
11:30 - 12:30	LUNCH						
12:30		Working with FAP in DV and Child Abuse Cases		Medical Evidence of Child Physical and Sex Abuse	Legal Aspects of DV	Psychosexual Developmental Guidelines	
1:30	Travel Day						
2:30							
3:30		Mr. William Harris Handout Cases for Review SA Dave Reid	MCR	Dr. Barbara Craig	Ms. Teresa Scalzo	Dr. Grace Chang, NCIS	MCR
4:30							
AFTER 4:30							

PROGRAM COORDINATOR: Tim Picard
PROGRAM SPECIALIST: Leila McKamey
TRAINING TECHNICIAN: Tish Ross

FEDERAL LAW ENFORCEMENT TRAINING CENTER
NAVAL CRIMINAL INVESTIGATIVE SERVICE
Advanced Family & Sexual Violence Training
CLASS NO: AFSVT-402

REvised: 7/16/14
BLDG. NO: 216
ROOM NO: 252
WEEK NO: 2

HOURS	MON 22SEP (5)	TUE 23SEP (6)	WED 24SEP (7)	THU 25SEP (8)	FRI 26SEP
7:30	Dynamics of DV	DV Risk Assessments, Plans Protocols PTSD/TBI Risk Factors	Investigating Intimate Partner Violence	Prosecutor's Perspective	Travel Day
8:30					
8:30					
9:30	Ms. Glenna Tinney MCR		Ms. Catherine Johnson Intimate Partner Sexual Assault		
9:30	NCMEC				
10:30					
10:30					
11:30	SA Tim Picard MCR	Dr. Michael Sweda MCR	Ms. Catherine Johnson MCR	LCDR Jaimica Giarraputo MCR	
11:30 - 12:30	LUNCH				
12:30	NCMEC	Legal Aspects of Child Abuse	Investigation of Child Physical and Sex Abuse- Case Presentations	DV Investigations - Case Presentations	Travel Day
1:30					
1:30					
2:30	SA Tim Picard MCR				
2:30	Stalking				
3:30					
3:30					
4:30	Stalking Resource Center Ms. Michelle Garcia MCR	Mr. Rob Giles MCR	SA Dave Reid MCR	Various Instructors Critiques and Graduation MCR	
AFTER 4:30	Hand out Cases for Review				

August 10, 2015 - August 14, 2015

August 2015

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September 2015

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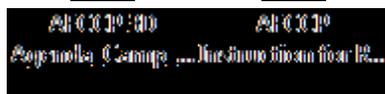
	10 Monday	11 Tuesday	12 Wednesday	13 Thursday	14 Friday
7 am					
8 ⁰⁰	Intro/Admin	Preparing Children for Court Julia Hejazi	Medical Aspects of Strangulation Gael Strack	The Link: Animal Abuse, Child Abuse and Domestic Violence Allie Phillips	
9 ⁰⁰	Building/ Corroborating DV and CA Cases Ms. Hejazi and LtCol Thielemann				
10 ⁰⁰		Making Sense of It All: Voir Dire, Using Experts and Techniques for Working with Reluctant and Recanting Victims CDR Luken/LCDR Stormer	Legal Aspects of Strangulation Gael Strack	Trial Advocacy Exercises Directs of Victim Behavior Expert/ Reluctant DV Victim	Sentencing Strategies for Domestic Violence LCDR Owens
11 ⁰⁰	Child Forensic Interviews: Practitioner's Prospective Elizabeth Smith				
12 ^{pm}	LUNCH	LUNCH	LUNCH	LUNCH	Professional Responsibility LtCol Thielemann
1 ⁰⁰		Forensic Interviewer Exercise	Small Group Strategy Session	Psychology of Domestic Violence: Understanding Offenders and Victims Scott Miller	The Visual Closing
2 ⁰⁰	Child Forensic Interviews: Legal Issues Rob Giles				
3 ⁰⁰	Injuries and Medical Evidence in CA Cases Dr. Michelle Clayton				
4 ⁰⁰			Assessing Risk and Lethality in Domestic Mike DeFamio, NCIS	Small Group Strategy Session	
5 ⁰⁰			Overview of Recent Legal and Policy LCDR Kate Shovlin		
6 ⁰⁰					Closing Remarks

July 14, 2014

Monday

9:00 AM - 12:00 AM

OPTIONAL - Multidisciplinary Approach to Child Maltreatment Evaluations & Investigations -- Camp Lejeune O'Club



July 15, 2014

Tuesday

All Day

OPTIONAL - Multidisciplinary Approach to Child Maltreatment Evaluations & Investigations -- Camp Lejeune O'Club

Please See Above

July 16, 2014

Wednesday

12:00 AM - 4:30 PM

OPTIONAL - Multidisciplinary Approach to Child Maltreatment Evaluations & Investigations -- Camp Lejeune O'Club

Please See Above

July 17, 2014

Thursday

8:00 AM - 10:00 AM

Kevin Peden & Carol Peden - Peden Digital Forensics -- notes

I would like you to instruct on all of the topics you mentioned below:

- . General digital forensic issues
- . What is digital forensics and what can it be applied to
- . Detailed understanding on digital evidence pertaining to sexual crimes (120 cases, child mistreatment, child pornography, etc.)
- . Detailed understanding on how digital evidence can be used in other crimes (drugs, homicides, embezzlement, etc.)
- . Forensic information pertaining to tablets and mobile devices (phones , iPad, tablets)
- . Recommendation on how to effectively use forensic experts in GCMs and other procedures

10:00 AM - 11:00 AM

LtCol Evan Roberts - A View from the Bench

11:00 AM - 12:00 PM

LtCol Adam Subervi

July 17, 2014 Continued

Thursday

12:00 PM - 1:00 PM

Lunch

1:00 PM - 3:30 PM

David Ball -- notes

Proposed syllabus:

- 1) Member voir dire
 - How to decide what to ask in a sexual assault case
 - How to word questions
 - How to follow up answers
 - How to use the results
 - Ethics of voir dire
- 2) Opening statement
 - How to sequence
 - What to include
 - Avoiding TMI (Too Much Information), legalese, and other pitfalls
 - Ethics of opening statement
- 3) Closing argument
 - Arming the factfinder
 - Using the law
 - The pitfall of "marshaling"
- 4) Strategizing a sexual assault prosecution case
- 5) Neuroscience and fact-finder decision-making
- 6) The Prosecutor vis a vis Factfinder: "Winning + Ethics."

3:30 PM - 4:30 PM

Maj Kaza - Appellate-proofing Your Case

5:00 PM - 7:00 PM

No-host Social -- Follow Me Bar

July 18, 2014

Friday

8:00 AM - 9:00 AM

Capt Kevin Knightly - DES -- notes

-Disability Evaluation System overview and also as it pertains to issues faced by sexual assault victims

9:00 AM - 10:00 AM

Ms. Kathleen Muldoon - Cross examination of the Accused I

10:00 AM - 11:00 AM

Ms. Kathleen Muldoon - Cross examination of the Accused II

11:00 AM - 12:00 PM

Maj Eckert - Discovery and Disclosure

12:00 PM - 1:00 PM

Lunch / Mr. Muscat set up time

1:00 PM - 3:00 PM

Patrick Muscat - Wayne County Prosecutor's Office -- notes

The Visual Trial lecture with Q/A-This lecture will demonstrate cutting edge courtroom technology techniques and strategies with a focus on sexual assault cases.

July 18, 2014 Continued

Friday

3:00 PM - 5:00 PM

Mr. Muscat lab/consultation time with counsel -- notes
Consult with attorneys regarding pending cases

July 09, 2015

Thursday

8:00 AM - 8:20 AM	Remarks by Circuit Military Judge - Colonel P. S. Rubin
8:20 AM - 8:50 AM	1stLt McKenna - Overview of prosecuting an Art 112a case
8:50 AM - 9:00 AM	Break
9:00 AM - 9:50 AM	Mr. Robert Sroka, Navy Drug Screening Laboratory, Jacksonville, FL - Part I
9:50 AM - 10:00 AM	Break
10:00 AM - 10:30 AM	Mr. Robert Sroka, Navy Drug Screening Laboratory, Jacksonville, FL - Part II
10:30 AM - 10:50 AM	Capt Spindler & 1stLt Korges - Investigating and Assessing Drug Case Dispositions
10:50 AM - 11:00 AM	Break
11:00 AM - 11:50 AM	Capt Mossor & 1stLt McKenna - Direct examination of a toxicologist + hearsay & confrontation issues with the litigation package
11:50 AM - 1:00 PM	Lunch
1:00 PM - 1:30 PM	Maj John Kellner - Overview of the Controlled Substances Analogue Act
1:30 PM - 1:40 PM	Break
1:40 PM - 2:10 PM	Capt Engell - Effective Use of Subpoenas
2:10 PM - 2:20 PM	Break
2:20 PM - 3:10 PM	Maj John Kellner - Investigative Techniques
3:10 PM - 3:20 PM	Break
3:20 PM - 4:10 PM	Maj Repair - Cross-examining the Accused & overcoming common defenses

July 10, 2015

Friday

8:00 AM - 8:30 AM	Law Enforcement Roles In Investigating an Art 112a case - NCIS
8:30 AM - 8:40 AM	Break

July 10, 2015 Continued

Friday

8:40 AM - 9:10 AM	CIs/CWs, Brady, Jencks and other ethics issues - Ms. Muldoon
9:10 AM - 9:20 AM	Break
9:20 AM - 10:10 AM	Immunity & the Art 112a case - Maj King
10:10 AM - 10:20 AM	Break
10:20 AM - 11:10 AM	Small Groups - openings/closings/themes/theories - getting the permissive inference

TCAP Annual Training - FY 15

ALPHA GROUP AND ENLISTED

	Monday	Tuesday	Wednesday	Thursday	Friday
0730					
0745	Intro, The New Art 32, and Discovery (Maj Mark Sameit)	Alpha Group (Opening Statements) Breakout Rooms	Alpha Group (Cross Examination) Breakout Rooms	Alpha Group (Closing Argument) Breakout Rooms	Closing Remarks (MajGen John Ewers)
0800					
0815					
0830	TC Ethics (LtCol Chris Thielemann)	Enlisted Group (Lexis Nexis) Distance Learning Center inside Bldg 5305	Enlisted Group (Lexis Nexis) Distance Learning Center inside Bldg 5305	Enlisted Group 4/5th Amend (Cole & Dripps) The Miramar Room	Regional TCOY Awards
0845					
0900					
0915	Break				Break
0930	Working with Victims (Kathleen Muldoon)	Break	Break	Break	NDA FY14 Implementation (Col Dwight Sullivan)
0945					
1000					
1015	Lunch	DNA (Donna Ioannidis)	SANE Examinations (Anita Brown)	Appellate Proofing Your Case (Code 46 / Connor Lamb)	Utilization of 4421s (MGySgt Scott Goss)
1030					
1045					
1100	Sample DNA Direct	Lunch	SANE Direct	Lunch	Overview of SA Requirements (Col John Baker)
1115					
1130					
1145	Lunch	Lunch	Lunch	Lunch	Closing Remarks
1200					
1215					
1230	Trying an Intox Sex Assault Case (Gretchen Means)	Reading an NCIS ROI (SA Jason Keller)	VWAP (Maj Mark Sameit)	Toxicology (Dr. Eric Shimomura)	
1245					
1300					
1315	Break	Break	Victimology (Dr. Connie Best)	SAPR (Renee Ferranti)	
1330					
1345					
1400	Trying an Intox Sex Assault Case (Gretchen Means)	Cross Exam of Accused (Jack McMahon)	Break	Break	
1415					
1430					
1445	Sample Accused Cross	Break	Victimology (Dr. Connie Best)	Sentencing Argument (Capt Brian Wright)	
1500					
1515					
1530	Break	Direct Examination (Gretchen Means)		JSC Developments (Capt Harlye Carlton)	
1545					
1600					
1615	LexisNexis Expert Search (Kelly Swank)				
1630					
1645					
1700				MESS NIGHT	

TCAP Annual Training - FY 15

BRAVO GROUP

	Monday	Tuesday	Wednesday	Thursday	Friday	
0730	Intro, The New Art 32, and Discovery (Maj Mark Sameit)	Child Physical and Sexual Abuse Overview (Dr. Barbara Craig)	Child Forensic Interviews (Laurie Fortin)	Domestic Violence Overview (Maureen Keough)		
0745						
0800						
0815						
0830	TC Ethics (LtCol Chris Thielemann)				Break	Closing Remarks (MajGen John Ewers)
0845				Break	Handling DV Case with Uncooperative Victim (Maureen Keough)	Regional TCOY Awards
0900				Break		
0915			Working with Child Victims (Jack McMahon)	Digital Evidence (Kelly Rhodes)	NDA FY14 Implementation (Col Dwight Sullivan)	
0930	Break					Break
0945	Working with Victims (Kathleen Muldoon)					
1000			Break			
1015			Break			
1030		Break	Appellate Proofing Your Case (Code 46 / Connor Lamb)	Break	Break	
1045	Lunch	Understanding Abusive Head Trauma (Dr. Robert Corliss)		Mobile Evidence (Lee Reiber)	Utilization of 4421s (MGySgt Scott Goss)	
1100						Overview of SA Requirements (Col John Baker)
1115						
1130						
1145						
1200	Trying an Intox Sex Assault Case (Gretchen Means)				Closing Remarks	
1215		Lunch	Lunch	Lunch		
1230						
1245						
1300			Understanding Abusive Head Trauma (Dr. Robert Corliss)	FBI's Cellular Analysis Support Team (CAST) (Maj John Kellner / SA Scott Eicher)	Prac App (Closing/Cross) Breakout Rooms	
1315						
1330						
1345						
1400	Break					
1415		Break				
1430	Trying an Intox Sex Assault Case (Gretchen Means)		Break			
1445		Prosecution of AHT (Robert Parrish)	Murder Boards Breakout Rooms			
1500						
1515						
1530						
1545						
1600						
1615	Break					
1630	LexisNexis Expert Search (Kelly Swank)					
1645						
1700				MESS NIGHT		

M, F: The Miramar Room, Bldg 5305

T, W, Th: Reserve Support Unit, Bldg 8671

Trial Counsel Orientation
9 - 11 September, 2014

	Tuesday, 9 Sept	Wednesday, 10 Sept	Thursday, 11 Sept
0730			
0800	Class Welcome	TC Discovery (Maj Sameit)	Members Instructions (LCDR Stormer)
0830	TC Ethics & Ethos (Ms. Means, RTCs, & LCDR Stormer)		
0900		Article 32 Hearings (LtCol Lee/Maj Pehrson)	Sentencing (Capt Wright)
0930			
1000	TC Resources/TCAP Orientation (Maj Sameit & LCDR Stormer)	Article 10 and RCM 707 (Maj Hart)	SJA Perspective (LtCol Harvey)
1030			
1100	Experts (Mr. McMahon)	PTAs, Stips of Fact (Maj Workman)	View From The Bench (LtCol Thielemann)
1130			
1200	Lunch		
1230			
1300	Charging, Proof Analysis (Maj Catto)	Guilty Pleas (The Dive) (Maj Workman)	Post-Trial Process (Maj Hoover)
1330		Working With Victims / VLC (LCDR Stormer & Mr. Giles)	
1400	Admitting and Using Evidence at Trial (LtCol Lee/Maj Pehrson)		Appellate Issues (Capt Harris)
1430			
1500	VWAP (Maj Sameit)	Shaping Your Case with Motions (Ms. Means and LtCol Lee)	Regional Break-out Sessions (Navy, West, Pacific)
1530	FY14 NDAA (LtCol Wissman)		
1600			
1630			



Staff Judge Advocate to the Commandant of the United States Marine Corps



Western Region TCAP Training Agenda

MCB CAMP PENDLETON
FEBRUARY 1-5, 2016

Presented by
Trial Counsel Assistance Program (TCAP)
With support from
Navy TCAP, LSSS-West, and LSSS-Pacific

Enlisted Breakout
Lecture / Demo
Practical Exercise
Drill

DAY 1: MONDAY, February 1st			
0800 – 0830	<p>Opening Remarks - VTC MajGen John Ewers, SJA to CMC</p>		
0830 – 0930	<p>Ethics LtCol Steve Keane</p> <ul style="list-style-type: none"> ❖ <i>LtCol Keane is the regional trial counsel for the west region.</i> ➤ Instruction will discuss ethics as applied to prosecution. It will use case law and specific examples to examine the limits of appropriate behavior. 		
0930 – 1030	<p>VLCO Col Katherine McDonald</p> <ul style="list-style-type: none"> ❖ <i>Col McDonald is the OIC of the Marine Corps VLCO.</i> ➤ Instruction will discuss the role the VLCO plays in the process and how TCs can constructively interact with the VLCs assigned to their cases. 		
1030 – 1130	<table border="0" style="width: 100%;"> <tr> <td style="width: 60%;"> <p>PMMs and Sex Assault / Domestic Violence corroboration Ms. Julia Hejazi</p> <ul style="list-style-type: none"> ❖ <i>Ms. Hejazi is the highly qualified expert for HQMC and LSSS-NCR.</i> ➤ <i>Instruction will focus on those issues unique to SA and DV cases.</i> </td> <td style="width: 40%; background-color: #fce4d6;"> <p>Learning to Read an Investigation Maj Jesse Schweig</p> <ul style="list-style-type: none"> ❖ <i>Class will focus on reading an NCIS or CID investigation and how this practically applies to gathering evidence.</i> </td> </tr> </table>	<p>PMMs and Sex Assault / Domestic Violence corroboration Ms. Julia Hejazi</p> <ul style="list-style-type: none"> ❖ <i>Ms. Hejazi is the highly qualified expert for HQMC and LSSS-NCR.</i> ➤ <i>Instruction will focus on those issues unique to SA and DV cases.</i> 	<p>Learning to Read an Investigation Maj Jesse Schweig</p> <ul style="list-style-type: none"> ❖ <i>Class will focus on reading an NCIS or CID investigation and how this practically applies to gathering evidence.</i>
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1130 – 1300	<p>Working Lunch and Review of Mock Case File Teams</p> <ul style="list-style-type: none"> ❖ <i>The format for this year's training will be slightly different. Participants will work all practical exercises as teams. Additionally, time will be granted during the workday to prep for all events. This is the first such block of prep time.</i> ➤ The goal is to review the mock case file and to discuss what evidence is missing. The team leader should task the team members with drafting appropriate documents to obtain these missing items of evidence. 		
1300 – 1400	<table border="0" style="width: 100%;"> <tr> <td style="width: 60%;"> <p>Sample Direct of a Strangulation Expert Mr. Jack McMahon and Ms. Gael Strack</p> <ul style="list-style-type: none"> ❖ <i>Mr. McMahon is the highly qualified expert for LSSS-Pacific</i> ❖ <i>Ms. Gael Strack is an expert in the field of strangulation as it applies to domestic violence</i> ➤ <i>Instruction will provide a template for conducting the direct examination of an expert strangulation witness.</i> </td> <td style="width: 40%; background-color: #fce4d6;"> <p>Creating a Proof Chart Instructor TBD</p> <ul style="list-style-type: none"> ❖ <i>Class will focus on using the Benchbook to draft a proof chart for your TC as you create the charge sheet.</i> </td> </tr> </table>	<p>Sample Direct of a Strangulation Expert Mr. Jack McMahon and Ms. Gael Strack</p> <ul style="list-style-type: none"> ❖ <i>Mr. McMahon is the highly qualified expert for LSSS-Pacific</i> ❖ <i>Ms. Gael Strack is an expert in the field of strangulation as it applies to domestic violence</i> ➤ <i>Instruction will provide a template for conducting the direct examination of an expert strangulation witness.</i> 	<p>Creating a Proof Chart Instructor TBD</p> <ul style="list-style-type: none"> ❖ <i>Class will focus on using the Benchbook to draft a proof chart for your TC as you create the charge sheet.</i>
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1 4 0 0 – 1 4 3 0	<p>Victimology Drill</p> <ul style="list-style-type: none"> ❖ <i>There will be a series of “drills” throughout the training. These will be live action and will be conducted in front of the entire audience. The goal of the drills is to make counsel think on their feet in a time-compressed situation.</i> 	
1 4 3 0 – 1 7 0 0	<p>Whiteboarding and Charging Exercise</p> <ul style="list-style-type: none"> ❖ <i>This team exercise will be conducted in the small group conference rooms. The group leader will take the teams through a whiteboarding exercise, a charge analysis exercise, and a PMM exercise. The teams will also generate their subpoenas and other documents that will enable them to complete their case file.</i> 	
1 7 0 0 – 1 9 0 0	<p>Optional Videotaping of and Feedback on an Opening/Closing</p> <ul style="list-style-type: none"> ❖ <i>This gives attendees an option to deliver an opening/closing from one of their cases or from the TCAP mock case. The presentation will be videotaped and will then be reviewed with an experienced practitioner. The goal is self-evaluation and self-improvement.</i> 	

DAY 2: TUESDAY, February 2nd |

0 6 0 0 – 0 7 0 0	Optional Group PT Event	
0 7 3 0 – 0 9 3 0	Evidentiary Foundations in Sex Assault Cases RTCs ❖ <i>LtCol Keane and LtCol Lee will discuss appropriate methods of laying foundations. They will also run the class through a series of drills.</i>	Drafting Subpoenas and Creating Witness Lists Instructor TBD ❖ <i>Class teaches enlisted how to obtain virtually any piece of evidence and how to pre-populate a witness list.</i>
0 9 3 0 – 1 1 3 0	Making Objections HQEs ❖ <i>Instructors will give a short lecture on objections; however, the bulk of the class will be a group drill.</i>	Working with and Interviewing Witnesses Instructor TBD ❖ <i>Class will explore and provide witness interview templates.</i>
1 1 3 0 – 1 3 0 0	Lunch	
1 3 0 0 – 1 4 3 0	Dissecting the Direct Exam Mr. Rob Giles ❖ <i>Mr. Giles is the highly qualified expert for Navy TCAP.</i> ➤ <i>Instruction will discuss the content of an effective direct examination of a victim.</i>	Enlisted Panel Discussion Legal Chiefs ❖ <i>Panel will explore best practices around the Marine Corps legal community.</i>
1 4 3 0 – 1 5 3 0	Prep Direct Exams ❖ <i>Teams will prepare a model direct of their victim. The output will be a prepared and structured written direct exam.</i>	
1 5 3 0 – 1 7 0 0	Conduct Directs ❖ <i>Teams will conduct their prepared direct exams in the small group conference rooms.</i>	
1 7 0 0 – 1 9 0 0	Optional Panel Discussion Reservists and Retired Marines ❖ <i>The panel will field questions from TCs regarding the interviewing and hiring process post Marine Corps. The panel will also discuss the reserves and what resources are available.</i>	

DAY 3: WEDNESDAY, February 3rd |

0 6 0 0 – 0 7 0 0	Optional Group PT Event	
0 7 3 0 – 0 9 0 0	Cross Examination Demonstration and Class RTCs and HQEs ❖ <i>Class discusses the theory of cross and how to use it to further the theme of your case. Class includes a drill portion.</i>	Use of ADOBE Pro and Other Office Products Capt Mark Pfizenmayer, TC Okinawa ❖ <i>Class ensures widest dissemination of best practices regarding Office products. Focuses on shortcuts and maximizing efficiency.</i>
0 9 0 0 – 1 0 0 0	The DSO Col Steve Newman ❖ <i>Col Newman is the Chief Defense Counsel of the Marine Corps.</i> ➤ <i>Class will discuss the interaction between TCs and DCs.</i>	
1 0 0 0 – 1 1 3 0	Discovery v. Production LCDR Ryan Stormer, JAGC ❖ <i>LCDR Stormer is the deputy director of Navy TCAP.</i> ➤ <i>Class will pull back the curtain on this confusing subject area.</i>	
1 1 3 0 – 1 3 0 0	Working Lunch and Prep of Cross-Examinations	
1 3 0 0 – 1 4 3 0	Conduct Crosses Teams ❖ <i>Teams will conduct mock cross-examinations of the accused in the small group conference rooms.</i>	Setting up a Courtroom Various Instructors ❖ <i>This practical application class will ensure that all enlisted personnel know how to set-up a courtroom for any contested case. Class includes construction of the TC's trial notebook and preparation of evidence.</i> ➤ <i>Class will be held in the Camp Pendleton courtrooms.</i>
1 4 3 0 – 1 5 3 0	Proper use of an Expert Toxicologist Capt Mark Pfizenmayer and Mr. Jack McMahon ❖ <i>Instructor will discuss how to use an expert toxicologist in a sexual assault case. The class will include a model direct examination of an expert.</i>	
1 5 3 0 – 1 6 3 0	Addressing Counter-Intuitive Victim Behaviors LtCol Wilbur Lee ❖ <i>LtCol Lee is the regional trial counsel for the pacific region.</i> ➤ <i>Class will discuss ways to address counter-intuitive victim behaviors. It will include suggestions for when to call an expert.</i>	
1 6 3 0 – 1 9 0 0	Optional Videotaping of and Feedback on an Opening/Closing ❖ <i>This gives attendees an option to deliver an opening/closing from one of their cases or from the TCAP mock case. The presentation will be videotaped and will then be reviewed with an experienced practitioner. The goal is self-evaluation and self-improvement.</i>	

DAY 4: THURSDAY, February 4th |

0 6 0 0 – 0 7 0 0	Optional Group PT Event	
0 7 3 0 – 0 8 0 0	RTC Discussion of PMMs and Proof Charts RTCs ❖ <i>LtCol Keane and LtCol Lee will discuss the utility and importance of PMMs and proof charts.</i>	
0 8 0 0 – 0 9 0 0	The Opening Statement Instructor TBD ❖ <i>Instructor will give a sample opening statement relating to the mock case. He will then provide practice pointers for structuring the opening.</i>	VWAP and Post-Trial Packages Instructor TBD ❖ <i>Class focuses on VWAP compliance, drafting confinement orders, and drafting RR0Ts.</i>
0 9 0 0 – 1 0 0 0	Theme and Theory of the Case Mr. Rob Giles ❖ <i>Instructor will discuss how to derive a theme/theory from the evidence and witness interviews. Instructor will then explain how to use this theme/theory throughout the presentation of the case.</i>	Archiving a Case and CMS Instructor TBD ❖ <i>What needs to be part of an archived case file and how it should be maintained pursuant to regulation.</i>
1 0 0 0 – 1 1 3 0	Theme and Theory Drill	
1 1 3 0 – 1 3 0 0	Lunch	
1 3 0 0 – 1 4 3 0	Create a Theme and Theory for the Mock Case ❖ <i>Teams will work on a theme and theory and will present it to the other teams in their small group conference rooms. This exercise takes the place of the more traditional opening statement presentations.</i>	
1 4 3 0 – 1 5 3 0	The Closing Argument Instructor TBD ❖ <i>Instruction will cover theory surrounding the closing argument. The context will be an actual closing prepared in conjunction with the mock case.</i>	NJIS Maj Jesse Schweig ❖ <i>Explanation of where we might be headed and a solicitation of good ideas.</i>
1 5 3 0 – 1 6 3 0	Creating an Effective Visual Closing Instructor TBD ❖ <i>Instruction will give pointers and techniques for incorporating technology into the closing and how to use it to supplement the argument.</i>	
1 6 3 0 – 1 8 3 0	Optional Panel Discussion Special Guests (civilian district attorneys) ❖ <i>This panel will focus on the differences between civilian and military sexual assault prosecutions.</i>	

DAY 5: FRIDAY, February 5th |

0 7 3 0 – 0 8 3 0	<p>Military Justice Resources Maj Jesse Schweig</p> <ul style="list-style-type: none"> ❖ <i>Maj Schweig is the branch head for Marine TCAP.</i> <ul style="list-style-type: none"> ➢ Class will discuss websites, publications, and other documents pertaining to military justice. It will also include a discussion of NJIS.
0 8 3 0 – 1 0 0 0	<p>Sentencing Argument Demonstrations Experienced Marine TC and CDR Jon Stephens, JAGC</p> <ul style="list-style-type: none"> ❖ <i>Two experienced TCs will deliver model sentencing arguments from their own cases. They will then explain how they structured their argument and why.</i>
1 0 0 0 – 1 1 0 0	<p>Case Law Update Ms. Julia Hejazi</p> <ul style="list-style-type: none"> ❖ <i>Instruction will discuss recent sexual assault cases that have been overturned for lack of factual sufficiency. It will also touch on other developments relevant to our practice.</i>
1 1 0 0 – 1 1 3 0	<p>Presentation of Awards RTCs</p>
1 1 3 0 – 1 2 0 0	<p>Closing Remarks / Critiques Maj Jesse Schweig</p>



Staff Judge Advocate to the Commandant of the United States Marine Corps



Eastern Region TCAP Training Agenda

MCB CAMP LEJEUNE
MARCH 7-11, 2016

Presented by
Trial Counsel Assistance Program (TCAP)
With support from
Navy TCAP, LSSS-East, and LSSS-NCR

Enlisted Breakout
Lecture / Demo
Practical Exercise
Admin

DAY 1: MONDAY, March 7th			
0800 – 0830	<p>Opening Remarks and Self-Assessments Maj Jesse Schweig, Branch Head, Trial Counsel Assistance Program</p>		
0830 – 0930	<p>Ethics LtCol Pete Houtz</p> <ul style="list-style-type: none"> ❖ <i>LtCol Houtz is the regional trial counsel for the National Capital Region.</i> <ul style="list-style-type: none"> ➢ Instruction will discuss ethics as applied to prosecution. It will use case law and specific examples to examine the limits of appropriate behavior. 		
0930 – 1030	<p>The Pre-Arrest Investigation Ms. Martha Bashford</p> <ul style="list-style-type: none"> ❖ <i>Ms. Bashford is the Chief of the Manhattan District Attorney's Sex Crimes Unit</i> <ul style="list-style-type: none"> ➢ Instruction will discuss how the Manhattan District Attorney's office investigates new reports of sexual assault. Although not specific to military practice, the goal is to stimulate trial counsel by exposing them to the methodology used in an extremely busy and extremely successful jurisdiction. 		
1030 – 1200	<table border="0" style="width: 100%;"> <tr> <td style="width: 60%; vertical-align: top;"> <p>Corroborating Sex Assault / Domestic Violence cases Ms. Julia Hejazi and Ms. Kathleen Muldoon</p> <ul style="list-style-type: none"> ❖ <i>Ms. Hejazi is the highly qualified expert for HQMC and LSSS-NCR. Ms. Muldoon is the highly qualified expert for LSSS-East.</i> <ul style="list-style-type: none"> ➢ Instruction will focus on those issues unique to SA and DV cases. </td> <td style="width: 40%; vertical-align: top; background-color: #f4a460;"> <p>Learning to Read an Investigation Maj Jesse Schweig</p> <ul style="list-style-type: none"> ❖ <i>Class will focus on reading an NCIS or CID investigation and how this practically applies to gathering evidence.</i> </td> </tr> </table>	<p>Corroborating Sex Assault / Domestic Violence cases Ms. Julia Hejazi and Ms. Kathleen Muldoon</p> <ul style="list-style-type: none"> ❖ <i>Ms. Hejazi is the highly qualified expert for HQMC and LSSS-NCR. Ms. Muldoon is the highly qualified expert for LSSS-East.</i> <ul style="list-style-type: none"> ➢ Instruction will focus on those issues unique to SA and DV cases. 	<p>Learning to Read an Investigation Maj Jesse Schweig</p> <ul style="list-style-type: none"> ❖ <i>Class will focus on reading an NCIS or CID investigation and how this practically applies to gathering evidence.</i>
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1430 – 1530	<p>Jury Instructions LtCol Nick Martz</p> <ul style="list-style-type: none"> ❖ <i>LtCol Martz is the regional trial counsel for the East Region.</i> <ul style="list-style-type: none"> ➢ Instruction will focus on using instructions to craft charges. 		

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Whiteboarding and Charging Exercise

- ❖ *This team exercise will be conducted in the small group conference rooms. The group leader will take the teams through a whiteboarding exercise and a charge analysis exercise. The teams will also generate their request for additional evidence for the mock case.*

DAY 2: TUESDAY, March 8th		
0830 – 0930	Evidentiary Foundations in Sex Assault Cases Maj Iain Pedden <ul style="list-style-type: none"> ❖ <i>Maj Pedden is the evidence instructor at TJAGLCS</i> <ul style="list-style-type: none"> ➢ Class will drill students in laying foundations for items of evidence typically seen in sex assault and strangulation cases. 	Drafting Subpoenas and Creating Witness Lists TBD <ul style="list-style-type: none"> ❖ <i>Class teaches enlisted how to obtain virtually any piece of evidence and how to pre-populate a witness list.</i>
0930 – 1130	Evidentiary Foundation Exercise <ul style="list-style-type: none"> ❖ <i>Counsel will practice laying foundations for various items of evidence in the small group settings.</i> 	Working with and Interviewing Witnesses TBD <ul style="list-style-type: none"> ❖ <i>Class will explore and provide witness interview templates.</i>
1130 – 1300	Lunch	
1300 – 1400	Proper use of an Expert Toxicologist TBD <ul style="list-style-type: none"> ❖ <i>Instructor will discuss how to use an expert toxicologist in a sexual assault case.</i> 	Discovery TBD <ul style="list-style-type: none"> ❖ <i>What discovery should mean to enlisted support</i>
1400 – 1500	Making Objections Exercise <ul style="list-style-type: none"> ❖ <i>Counsel will practice making objections in response to prepared scenarios</i> 	Enlisted Panel Discussion Legal Chiefs <ul style="list-style-type: none"> ❖ <i>Panel will explore best practices around the Marine Corps legal community.</i>
1500 – 1600	Discovery v. Production Maj Iain Pedden <ul style="list-style-type: none"> ❖ <i>Class will pull back the curtain on this confusing but vital subject area.</i> 	
1600 – 1800	Panel Discussion Reservists and Retired Marines <ul style="list-style-type: none"> ❖ <i>This panel will field questions from TCs regarding the interviewing and hiring process post Marine Corps. The panel will also discuss the reserves and what resources are available.</i> 	

DAY 3: WEDNESDAY, March 9th 		
0830 – 0930	Theme and Theory of the Case Mr. Rob Giles <ul style="list-style-type: none"> ❖ <i>Instructor will discuss how to derive a theme/theory from the evidence and witness interviews. Instructor will then explain how to use this theme/theory throughout the presentation of the case.</i> 	VWAP and Post-Trial Packages TBD <ul style="list-style-type: none"> ❖ <i>Class focuses on VWAP compliance, drafting confinement orders, and drafting RROT's.</i>
0930 – 1100	Theme and Theory Drill	Archiving a Case and CMS TBD <ul style="list-style-type: none"> ❖ <i>What needs to be part of an archived case file and how it should be maintained pursuant to regulation.</i>
1100 – 1200	Create a Theme and Theory for the Mock Case <ul style="list-style-type: none"> ❖ <i>Teams will work on a theme and theory and will present it to the other teams in their small group conference rooms. This exercise takes the place of the more traditional opening statement presentations.</i> 	
1130 – 1300	Lunch	
1300 – 1400	Dissecting the Direct Exam Mr. Rob Giles <ul style="list-style-type: none"> ❖ <i>Mr. Giles is the highly qualified expert for Navy TCAP.</i> <ul style="list-style-type: none"> ➢ <i>Instruction will discuss the content of an effective direct examination of a victim.</i> 	Setting up a Courtroom & Pretrial Matters TBD <ul style="list-style-type: none"> ❖ <i>This practical application class will ensure that all enlisted personnel know how to set-up a courtroom for any contested case. Class includes construction of the TC's trial notebook and preparation of evidence.</i> <ul style="list-style-type: none"> ➢ <i>Class will be held in the Camp Lejeune courtrooms.</i>
1400 – 1430	Prep Direct Exams <ul style="list-style-type: none"> ❖ <i>Teams will prepare a model direct of their victim. The output will be a prepared and structured written direct exam.</i> 	
1430 – 1600	Conduct Directs <ul style="list-style-type: none"> ❖ <i>Teams will conduct their prepared direct exams in the small group conference rooms.</i> 	
1600 – 1900	Optional Videotaping of and Feedback on an Opening/Closing <ul style="list-style-type: none"> ❖ <i>This gives attendees an option to deliver an opening/closing from one of their cases or from the TCAP mock case. The presentation will be videotaped and will then be reviewed with an experienced practitioner. The goal is self-evaluation and self-improvement.</i> 	

DAY 4: THURSDAY, March 10th		
0800 – 0900	Motions Practice and Bench Briefs Maj Schweig <ul style="list-style-type: none"> ❖ Class will focus on using offensive motions to canalize the defense in sexual assault and domestic violence cases 	Use of ADOBE Pro and Other Office Products TBD <ul style="list-style-type: none"> ❖ Class ensures widest dissemination of best practices regarding Office products. Focuses on shortcuts and maximizing efficiency.
0900 – 1000	Cross Examination Class and Prep Ms. Julia Hejazi <ul style="list-style-type: none"> ❖ Class discusses the theory of cross and how to use it to further the theme of your case. <ul style="list-style-type: none"> ➤ Teams will prepare a model cross of the accused. The output will be a prepared and structured written cross exam. 	
1030 – 1200	Conduct Crosses Teams <ul style="list-style-type: none"> ❖ Teams will conduct mock cross-examinations of the accused in the small group conference rooms. 	
1200 – 1300	Lunch	
1300 – 1430	The Opening Statement LTC George Brauchler, USA <ul style="list-style-type: none"> ❖ LTC Brauchler is an Army National Guard Reservist and is the District Attorney for the 18th Judicial District in Colorado. <ul style="list-style-type: none"> ➤ Instructor will give a sample opening statement relating to the mock case. He will then provide practice pointers for structuring the opening. 	
1430 – 1530	The Closing Argument LTC George Brauchler, USA <ul style="list-style-type: none"> ❖ Instruction will cover theory surrounding the closing argument. The context will be an actual closing prepared in conjunction with the mock case. 	
1530 – 1630	Creating an Effective Visual Closing LTC George Brauchler, USA <ul style="list-style-type: none"> ❖ Instruction will give pointers and techniques for incorporating technology into the closing and how to use it to supplement the argument. 	
1630 – 1900	Panel Discussion Special Guests from the Manhattan District Attorney's Sex Crimes Unit <ul style="list-style-type: none"> ❖ This panel will field questions from TCs regarding the techniques and procedures used at one of the highest profile and busiest sex crimes units in the country. The discussion will be led by MajGen Ewers, SJA to CMC. 	

DAY 5: FRIDAY, March 11th |

0830 – 0900	Course Evals	
0900 – 0930	Case Law Update TBD ❖ <i>Class will provide an update on the most recent case law.</i>	NJIS Maj Jesse Schweig ❖ <i>Explanation of where we might be headed and a solicitation of good ideas.</i>
0930 – 1100	Sentencing Argument Class and Demonstration TBD ❖ <i>An experienced TC will deliver a model sentencing argument from their own case. The class portion will explore presentencing proceedings.</i>	
1100 – 1130	Presentation of Awards RTCs	
1130 – 1200	Closing Remarks MajGen John Ewers, SJA to CMC	