

# MESSAGE

*from the President*

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## Looking Ahead to a Bright Future

**MY YEAR AS PRESIDENT** of NDAA has truly flown by, both in terms of time and number of trips on airplanes. When you read this, I will have only about three more months remaining as your president. Many positive things have been accomplished these past nine months and there are many reasons for my belief that the future of NDAA is indeed very bright.

Perhaps topping the list of significant accomplishments is again being able to pay to bring faculty and students to the courses offered at the NAC. This was made possible through the hard work of the staff in both Alexandria and Columbia, the prosecutor coordinators of all the states and the thousands of committed people who took the time to write letters, sign letters, make phone calls, and meet with their congressional delegation about this extremely important issue. Without your efforts, it would not have happened. Now we must continue the fight and redouble our efforts to secure the necessary funding to continue being able to offer the best training available in America for prosecutors at no cost to the prosecutors' offices across the country.

As important, for the first time we have funding appropriated for student loan forgiveness for prosecutors through the John R. Justice Act—money budgeted as a line item and not as a carve-out of some grant monies. This is truly historical and it is so exciting to be able to say that we anticipate being able to begin providing funds for loan forgiveness before the end of the summer. There are still details to be worked out, and we recognize that there is by no means enough money budgeted to meet the very real needs of our hard working assistants in reducing their loan amounts, but it is an historic first step. Again, this happened due

to the hard work of literally thousands of prosecutors and others, and the continuous support and efforts of Senator Durbin. If we continue our efforts to increase the budgeted amount to necessary levels, there is every reason to believe that loan forgiveness will continue for years to come.

I am also very excited about the summer conference that will be held in Napa Valley, California, this July. Barbara LaWall, prosecuting attorney in Pima County, Arizona, and a long-time member of the NDAA Board of Directors, is the chair of our summer conference committee. She and the rest of her committee have put together what may well be the best agenda for a summer conference in NDAA history. Another NDAA Board member, Gary Lieberstein, the district attorney in Napa County, was very instrumental in securing the location for this summer conference. Please be sure and read the article written by Barbara detailing the plans for this conference in this issue of *The Prosecutor*. I want to take this opportunity to thank Barbara and her committee for their hard work in putting this conference together. I strongly urge everyone to make plans to attend what is sure to be a memorable conference.

We have also been working very hard to be more involved with other organizations and groups regarding issues of concern to NDAA and offering assistance when asked to do so. We have, I believe, strengthened an already strong relationship with the National Association of Prosecutor Coordinators (NAPC), an agency with which we have obvious interests in common. As mentioned above, NAPC was very helpful in partnering with us in our efforts regarding NAC fund-

*(Continued on page 30)*

62 Id. at 312.  
 63 Id. at 312, 316.  
 64 Id. at 316.  
 65 Nikola N. Trajanovic, Michael Mangan, Colin M. Shapiro, *Sexual Behavior in Sleep An internet Survey*, 42 *Social Psychiatry and Psychiatric Epidemiology* 1024-1031 (2007).  
 66 Id. at 1029.  
 67 Id.  
 68 Id.  
 69 Andersen at 276.  
 70 Id.  
 71 Id. at 277.  
 72 Carlos H. Schenck, Isabelle Arnuff, Mark W. Mahowald, *Sleep and Sex: What Can Go Wrong? A Review of the Literature on Sleep Related Disorders and Abnormal Sexual Behaviors and Experiences*, 30:6 *Sleep* 683, 698 (2007).  
 73 Id.  
 74 Id.  
 75 Id.

76 Ebrahim at (online 8).  
 77 Id. at (online 9).  
 78 *International Classification of Sleep Disorders, Diagnostic and Coding Manual*, 2nd ed.  
 79 *Diagnostic and Statistical Manual of Mental Disorders Text Revision* (American Psychiatric Ass'n. ed., 4th ed. 2000) at p. 639.  
 80 Id. at 642.  
 81 Id. at 639.  
 82 Id. at 639.  
 83 *Harvey*, 66 M.J. at 586-87.  
 84 Id., at 587.  
 85 Id.  
 86 *Frye v. United States*, 54 App. D.C. 46, 293 F. 1013 (1923).  
 87 *Daubert v. Merrell Dow Pharmaceuticals*, 509 U.S. 579 (1993).  
 88 *Connecticut v. Griffin*, 869 A.2d 640, 649 (Conn. 2005).  
 89 *Griffin*, 869 A.2d at 651.

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ing. There are many areas in which NDAA and NAPC can work together and accomplish much more than if we were working separately, and our relationship can and should get even stronger in the years to come.

In addition to NAPC, we have made concentrated efforts to work with many groups on areas of mutual interest. For example, we are working closely with the American Academy of Forensic Scientists (AAFS), the Consortium of Forensic Scientists Organization (CFSO), and many other groups and governmental agencies regarding the NAS report. We are similarly working more closely with the International Association of Chiefs of Police (IACP), the FOP, and other law enforcement groups on various topics of mutual interest. In mid-April for the first time, NDAA and the ABA Criminal Justice Section held their spring meetings together in Charleston, SC, and actually had some joint committee meetings. The ABA Criminal Justice Section is made up of judges, prosecutors, defense attorneys and academicians. While there were some topics on which we understandably disagreed, there were also many on which there was substantial agreement. The important thing is that for the first time in a long time, perhaps for the first time ever in some instances, NDAA is reaching out to, connecting with, and having meaningful input with other groups on areas of mutual importance. This is what we should be doing, as the “voice of Americas prosecu-

tors,” and we are doing it better than ever before.

I am also happy to announce that for the first time in a long time, our Web site has undergone and is still undergoing substantial renovation. If you have not been to the Web site in a while, I encourage you to sign on. You won't believe the new look. It now reflects the professionalism that is NDAA. I want to publicly thank those staff members in Alexandria who have worked tirelessly on this effort.

All of this progress would not have been possible without the dedication of all our faithful employees in Alexandria and Columbia, who are simply the best. Further, Scott Burns is doing an outstanding job as executive director and provides great leadership to this organization. Morale among the staff has never been higher, and people from DOJ, Congress and many other groups regularly mention what an outstanding job he is doing and how it is clear that NDAA is back.

More importantly, however, all of this progress would not have been possible without the hard work and dedication of the more than 7,000 of you who make up NDAA. All of you have full time jobs, families, and many other important things to do in your respective jurisdictions. Yet you take the time whenever asked, and often even when not asked, to support NDAA in ways far too numerous to mention. Just as the communities you serve are lucky to have you, NDAA is lucky to have you as a member. You make a difference every day in our fight to do justice and it is an honor to serve as your president. It is because of you that the future of NDAA is so bright.