

MESSAGE

from the Executive Director

SCOTT BURNS



A Core NDAA Mission: Need Assistance? Call NDAA.

AS MANY OF YOU KNOW, the core missions of NDAA are training (grant-funded courses, national courses as well as at the NAC), striving to be “the Voice of America’s Prosecutors” on all criminal justice issues (John R. Justice, National Academy of Sciences Report, Webb Commission, and Congressional Hearings—to name a few) and providing prosecution or technical assistance (TAs as we call them) to America’s 39,000 prosecutors.

At the risk of increasing the number of TAs we handle (currently 4,000 to 5,000 a month) I want to give you a sense of how our interns, staff attorneys, senior attorneys and NDAA staff are making a difference each and every day. A “TA” can be a phone call, an e-mail, drafting of a motion, in-depth research on a particular issue, providing information on a defense expert witness and, on occasion, we literally assist in the prosecution of a case from voir dire to verdict. The following are a sampling of responses from the prosecutors we have assisted:

Dear Amanda, I wanted to write to let you know I won the trial last week, thanks in no small part to all the materials you sent me!!! This little boy will be safe for a while. So thanks for all your hard work and time. We’re simply too slammed time wise to gather all of this invaluable material. But I used all of it, so THANK YOU SOOOOOOOO MUCH!!! —Asst. DA, Wisconsin.

Dear Metria, I just wanted to take a minute and thank you for all of your help...it didn’t go unnoticed—and it is appreciated. —Deputy Co. Atty, Arizona.

Dear Mary, Verdict at 6:45 PM. Guilty first degree murder without mercy. Sentenced to life in prison without the possibility of parole. Thank you so much for all of your help. —Asst. DA, West Virginia.

Dear Suzanna, I recently tried a severe abuse case involving a

four month old infant with subdural hemorrhages, subarachnoid hemorrhages, bilateral retinal hemorrhages, multiple rib fractures, a metaphysical fracture of the tibia, and a radius fracture. The Defense expert witness submitted a written report and it was suggested to me (by a Doctor from Iowa) that I contact NDAA for assistance, which I did, and spoke with Derm Garrett. . . . Derm’s expertise was invaluable, and I cannot thank the NDAA or Derm enough. It is because of his assistance and the resources that the NDAA had compiled on the Defense expert that I felt confident and prepared to cross this expert. I knew that we had thoroughly researched these issues and the studies and that was only possible due to Mr. Garrett’s assistance. —Asst. DA, New York.

Dear Christen, Wow, thanks for such a quick response. I used to be a staff attorney at NDAA before everything was computerized—we had to cull the files in the backroom and send photocopies out! —Deputy Co. Atty, Montana.

Gabriela, Thanks SO much. This has been a fantastic resource for us in our office and I truly appreciate you compiling this info!! —AUSA, Guam.

Dear Detective, since the files on this Defense expert were too large to send by e-mail, I burned them onto a CD and sent it through UPS two-day mail. You should receive the information on Tuesday. To this e-mail, I have attached (1) an index describing the types of files you will find on the CD and (2) the contact information for two prosecutors who have experience with this expert.

Response: Dear Ann, Thank you very much—again, I really appreciate your assistance on this. —Detective, Arizona.

Dear Suzanna, Thank you so much! You guys have been fantastic. —Asst. AG, Louisiana.

Dear Rob, Oh, my goodness!! This expert has been around the country. Thank you very much. There is a lot of manipulating by

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47 Alberta's changes to law that protects sexually exploited children kick in Oct. 1, Can. Press, Sep. 27, 2007, Western General News.

48 Protection of Sexually Exploited Children Act, ch. P-30.3, § 1(2).

49 *Id.*

50 Protection of Sexually Exploited Children Act, ch. P-30.3, § 2(1).

51 *Id.* at § 2(1)(b).

52 Alberta Children's Services Protection of Sexually Exploited Children Policy Manual § 9.3 (2007).

53 *Id.* at § 9.4.

54 *Id.* at § 9.3.

55 *Id.* at § 9.2.

56 *Id.* at § 9.3.

57 Protection of Sexually Exploited Children Regulation Alta. Reg./2007-147, § 1(a),(b) (Can).

58 <http://www.informedmonton.com/Public/agency/1351.htm>, <http://www.hullservices.ca/tracc.aspx>.

59 60 Protection of Sexually Exploited Children Regulation Alta. Reg./2007-147, § 2 (Can).

60 Alberta Children's Services Protection of Sexually Exploited Children Policy Manual § 6.2 (2007).

61 *Id.* at § 6.4.

62 *Id.* at § 6.5.

63 Protection of Sexually Exploited Children Act, ch. P-30.3, § 3(2).

64 *Id.* at § 4(a), (c).

65 *Id.* at § 5.

66 *Id.* at § 2.1(1), Alberta Children's Services Protection of Sexually Exploited Children Policy Manual § 10.2 (2007).

67 Protection of Sexually Exploited Children Act, ch. P-30.3, § 7.1.

68 *Id.* at § 7.2.

69 Statistics Canada, <http://www12.statcan.ca/english/pro-fil01/CP01/Details/Page.cfm?Lang=E&Geo1=CSD&Code1=4811061&Geo2=PR&Code2=48&Data=Count&SearchText=edmonton&SearchType=Begins&SearchPR=48&B1=All&Custom>

70 In Our Own Backyard: Child Prostitution And Sex Trafficking in the United States: Hearing Before the Subcomm. On Human Rights and the Law of the S. Comm. On the Judiciary, 111th Cong. (2010) (statement of Rachel Lloyd, Founder, Girls Education and Mentoring Services).

Message from the Executive Director

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the defense in my case. This allows me to stand up and feel prepared to handle him. Thank you again. —Asst. DA, Texas.

Dear Derm, Sorry—been on vacation for a week and just got in. Yes, I got the CD—it's AWESOME!! And thanks for the new stuff. I think I'm going to have a tad bit of fun with this expert come trial time (which is now set for July). Have a great weekend. —DA, California.

Dear Alec, Thanks so much for your help! I kept him up there today for a lengthy cross...no verdict yet from the Judge, but I feel very good about the cross. The transcripts came in especially useful!!!! It was fun. —Deputy Atty. General, Washington, D.C.

Hey Joanne, Hope all is well. I wanted you to know that three different ADA's approached me about how valuable and inspirational your assistance has been. One of them was my chief of homicide. Thanks !! It was great. See you in October. —Asst. DA, New York.

Kristina, I wanted to thank you again for all of your help on my case where the girls recanted. I won—5 counts of A Felony Molest and 2 counts of Incest. THANKS AGAIN! —Asst. Prosecuting Atty, Indiana.

Dear Mark, I refer prosecutors to you whenever they call me. I usually tell them to "stop what they are doing and immediately

call you at NDAA before they do anything else. Too many times they sound as though they are going to have to re-invent the wheel!!" —Law Enforcement Supervisor, Michigan.

Dear Kristen, You obviously know your stuff. Thank you again. Just wanted you to know! Thanks. —Law Enforcement Officer, Arkansas.

I could go on with hundreds of "Thank You" notes from across the country, but this should give you some sense of what your NDAA attorneys and staff are doing every day for prosecutors.

So spread the word and please know that we are all here to serve you, America's prosecutors, with any technical assistance you may need as you continue to exonerate the innocent and hold the guilty accountable.

HERE'S HOW YOU CAN REQUEST ASSISTANCE FROM NDAA:

- Click on "Prosecution Assistance" on the navigation bar of our Web site (www.ndaa.org) and fill out the form. The form is automatically submitted to the appropriate staff members. In addition, these forms are monitored to ensure quick and informative responses.
- Send a message for assistance to Jean Hemphill (jhemphill@ndaa.org) or Jim Dedman (jdeman@ndaa.org).
- Click on the Yahoo symbol on our Web site, join the prosecutor discussion group, and send a question to the group.
- Call us at 703.549.9222.