



DRAFT PROGRAM

All times are Eastern Daylight Time & subject to change



The American Council of Chief Defenders (ACCD) Summer Conference – Where chief public defenders come to engage in discussions about new issues facing public defenders across the nation and exchange ideas on effective approaches to public defense leadership.

Monday, June 14, 2021

12:00 noon-1:00 p.m. **ACCD Welcome and Chiefs Roundtable**

1:00 p.m.-2:00 p.m. **Litigating Race: What Does Implementation Look Like?**

Presenters: Renate Lunn , Director of Training, New York County Public Defender Services, New York NY

This session will focus on practical steps involving how to create a practice of litigating race in your jurisdiction. We will hear from public defender offices on how to structure and implement these trial and client strategies and how to address any challenges and barriers to implementation.

2:00 p.m.-2:30 p.m. **BREAK**

2:30 p.m.-3:30 p.m. **Community Engagement: How to Leverage the Power of the Community**

Presenter: Brendon Woods, Public Defender, Alameda County Public Defender, Oakland CA - *invited*

This session will focus on how to engage with the community to advance reforms and common goals. We will learn about a comprehensive community engagement strategy to advance advocacy around COVID-19, jury selection, and other critical systemic reforms.

3:30 p.m.-4:30 p.m. **Navigating the Changes in Office Culture: Post-COVID 19 Public Defense Practice**

Presenter: Stan Germán, Executive Director, New York County Public Defender Services, New York NY

COVID-19 radically changed the practice of public defense. The changing environment has introduced virtual court hearings, remote work environments, and rapid societal changes that will force public defender offices to adapt. This session will focus on how to balance these changes in culture and create healthy organizations that provide zealous advocacy and meet the changing staff demands.

4:30 p.m.-5:00 p.m. **Close Out Announcements and ACCD Updates**

5:00 p.m.-6:00 p.m. **Networking/Social Hour**

Community-Oriented Defender Network Conference



Tuesday, June 15

12:00 – 1:45 p.m. **COD Opening Plenary & COD Network Member Updates**

Join us for a guest speaker and an open forum for your reports and updates on challenges, successes, and plans for the coming months.

1:45-2:00 p.m. Break

2:00-3:30 p.m. Concurrent Workshops *(one workshop will be added here)*

- **Rising Tide: Small Changes for Big Holistic Impact**

We become defenders because we want to be of service. At our best, we are defending PEOPLE rather than cases. But defending whole people means reckoning with the challenging, complex, and intersecting challenges our clients encounter -- the loss of housing, work, educational continuity, child custody, safety, medical care, or property due to an arrest, just to name a few of the most common types of fallout. We, as attorneys, need to be able to fight for our clients across all fronts, but how do we do it alone? Fighting on all fronts solo leads to burnout and frustration. We can and we must do better.

Presenters:

Emily Galvin-Almanza, Co-Founder & Executive Director, Partners for Justice, New York NY
Vichal Kumar, Regional Director, Eastern Region, Partners for Justice, New York NY

- **White Savior: Pass the Mic**

Turn up the volume and silence the noise. People of color are not voiceless; rather, they are repeatedly “overlooked” and “unheard.” As advocates in public defense, have we turned a blind eye to the ways in which internalized privilege, power, and white saviorism have muffled the voices of those we serve? With the recent surge in political progressive thinking, those who work closely with people of color must re-examine their personal behaviors in the professional space. This program will seek to honestly and openly unpack the ways in which white saviorism manifests itself in public defense. Join us for an introspective discussion.

Presenter:

Natasha Dartigue, Esq., Deputy District Public Defender for Baltimore City, Office of the Public Defender, Baltimore MD

NASAMS Track

- **After the Conviction: The Harm of Collateral Consequences**

This workshop will look at the ongoing collateral consequences that affect our clients well beyond the courthouse and for years to come. Using guidance from *Kentucky v. Padilla*, we will discuss how to identify collateral consequences, why it is important to do so, and how to use them to negotiate and mitigate. Our focus will be on reducing the negative impacts and stigma.

Presenter:

Elizabeth Justesen, Chief Community Outreach Officer, Legal Aid Society of Suffolk County, Central Islip NY

3:30-3:45 p.m. Break

3:45-5:15 p.m. Concurrent Workshops

- **Criminal Defense & Medical-Legal Partnerships: A New Paradigm**

An early proponent of the holistic defense model, the Rhode Island Public Defender (RIPD) has recently expanded the application of this model by collaborating with the local public health community. This partnership, in a variety of contexts, has resulted in better case outcomes for RIPD clients. Most recently, under the umbrella of the Lifespan Transitions Clinic and in conjunction with the Brown University Warren Alpert School of Medicine, the RIPD has been able to access resources through this emerging Medical-Legal Partnership by engaging with public health experts and bringing these resources to bear to achieve better outcomes for clients. Attendees will acquire the tools necessary to engage public health officials and develop medical legal partnerships in their jurisdictions.

Presenters:

Chelsea Kelly, Assistant Public Defender, Rhode Island Public Defender, Providence RI

James A. Lawless, Social Services Casework Supervisor, Rhode Island Public Defender, Providence RI

Dr. Rahul Vanjani, Primary Care Physician, Lifespan/Brown University Warren Alpert School of Medicine, Providence RI

- **The D.C. Reentry Navigator: A Nationwide Blueprint for Empowering Clients with Tools for Successful Reentry & Reintegration**

The Washington, D.C., Public Defender Service (PDS), in collaboration with more than 100 D.C. and federal stakeholders, created and produced a comprehensive and groundbreaking book titled, *The D.C. Reentry Navigator: Empowering You to Succeed with a D.C. Criminal Record*, a first-of-its-kind for the District of Columbia. This valuable resource will help to educate, support, and empower people as they steer through the turbulence of life following criminal system involvement. For the first time, people affected by the system will have easy access to resources at their fingertips—in hard copy or online—so that they may plan for their futures.

Presenter:

Chiquisha Robinson, Esq., Deputy Chief, Prisoner & Reentry Legal Services, The Public Defender Service for the District of Columbia, Washington DC

- **Early Advocacy: Extending Gideon's Promise**

The presenters, all attorneys from The Bronx Defenders, will speak on the work they each are doing within the new innovative Early Defense Team. The presentation will describe how this holistic model extends the boundaries of traditional public defense and put clients on an equal footing with those who have the monetary means to retain a lawyer at earlier stages of their legal situations. The presentations will demonstrate the benefits of early intervention in legal matters before they become legal matters.

Presenters:

Brea Davis, Staff Attorney, Civil Action Practice, The Bronx Defenders, Bronx NY

Matt Diaz, Community Intake Supervisor/Attorney, Early Defense Practice, The Bronx Defenders, Bronx NY

Lenora Easter, Supervising Attorney, Early Defense Practice, The Bronx Defenders, Bronx NY

Annie Mathews, Supervising Attorney, Immigration Practice, The Bronx Defenders, Bronx NY

NASAMS Track

- **Mitigation Assessment: Community Violence and Its Impact on Neurological Development**

The purpose of this workshop is to introduce and discuss the importance of incorporating community efficacy and its impact on brain development/architecture into the mitigation assessment interview. Research findings linking the relationship between community violence/wellness and brain development as well as interview techniques to unpack those relationships will be discussed.

Presenter:

Marian L. Swindell, PhD, MSW, Associate Professor, Mississippi State University, Meridian MS

5:15-6:15 p.m. Networking Reception

Wednesday, June 16

12:00 – 1:00 p.m. *Plenary Session*

Rising to the Challenges of Race & Gender Freedom: Truth Telling with an “Abolitionist-in-Training”

Afeni Evans is an abolitionist-in-training. She is an anti-war and anti-imperialist Army veteran who has dedicated her life to fighting for Black liberation and non-violent community safety. She is a core member of Freedom Fighters DC, a Black-led grassroots organization that focuses on Black liberation, mutual aid and political education. Identifying as a lesbian, she is at the intersection of queerness and Black identity, and a true believer that the most urgent truths come from the mouths of those who suffer the most and that those voices should be at the center of liberation efforts. As a Black, queer activist, she believes that it is her duty to lift everyone up through Black liberation to finally achieve the basic human rights that all people of color deserve. Her chosen name, Afeni, means “lover of people,” and she has chosen that name because it reminds her of why she continues to do the work that she does. She loves human-kind. Her lived experience landed her protesting in the streets of Washington, D.C., and dedicating her life to fighting for basic human rights, equality and community safety. As the nation struggles to turn the tides of racism and violence, Afeni’s work is a beacon of hope and inspiration. She has something to say about the untapped power of public defense that will remind us that allies are everywhere and opportunities to reckon with the tides are everywhere - if we only look, listen and rise.

- 1:00-1:10 p.m. Break
- 1:10-2:40 p.m. Concurrent Workshops

- **Debunking the Resource Desert: NLADA and AmeriCorps VISTA**

Resources and capacity remain a challenge for offices to expand holistic defense and anti-racist practices, but AmeriCorpsVISTA and NLADA are rising to the occasion. In this session, you'll meet members from across the country and hear how they have used creative problem-solving to expand data collection and community partnerships for their host communities and how the NLADA AmeriCorps program allowed members to start a career in public service. Come ready to brainstorm how you could use additional capacity and walk away knowing how to apply for an NLADA AmeriCorpsVISTA member in your office.

Presenters:

Anna Ladd, NLADA-AmeriCorps DCS Program Director, Senior Program Associate, National Legal Aid & Defender Association, Washington DC

A team of AmeriCorps VISTAs from defender offices TBD

- **The Excessive Fines Clause: A Tool to Protect Clients Living in Poverty**

Courts, municipalities, and legislatures have been plugging budget holes by imposing ever-increasing fines and fees on criminal defendants and mounting aggressive collection efforts. Some courts have slowed this process during the pandemic, but, as the world returns to business as usual, we can expect even those jurisdictions to return to the status quo—or worse—as governments look to make up for lost revenue. Now is the time to fight not only against over-incarceration but also against the imposition of criminal justice debt that can trap clients in poverty for years and drain the resources of their families and communities as their loved ones struggle to help them avoid the harsh consequences of nonpayment. The Eighth Amendment’s Excessive Fines Clause has great potential to protect our clients from fines and court fees they can never hope to pay off. But the clause is rarely invoked at sentencing, and there is little precedent on how courts are to determine whether any given fine is unconstitutionally excessive. This session will focus on how you can fight to ensure your clients are afforded the full protections the clause confers. There is a powerful argument that when determining whether a fine is excessive, courts must consider defendants’ individual financial circumstances, and also that any fine that makes it difficult for a person to pay for life’s necessities must be reduced or omitted. This session discusses what arguments to make, how best to raise them, and how to make sure punitive fees and costs are properly classified as fines in the analysis. We will provide an argument outline and discuss strategies for appeal.

Presenters:

Leslie Bailey, Debtors' Prison Project Director, Public Justice, Oakland CA

Others TBD

- **Interns and Holistic Defense: Lessons from COVID**

Expanding or creating holistic defense opportunities does not have to rely on budget increases from legislators or government entities. Our workshop will explore three things: (1) how to best expand such options through the use of undergrad, legal, and social work interns; (2) the benefits of a specific JD/MSW position in office; and (3) what COVID taught us about the possibilities for accomplishing this with remote interns who are rarely, if ever, on sight.

Presenters:

Annie Legomsky, JD/MSW, Senior Public Defender, Missouri State Public Defender, St. Louis MO
Matthew Mahaffey, District Defender, Missouri State Public Defender, St. Louis MO

NASAMS Track

- **Realities for Vulnerable Clients: Prisoner Advocacy at Sentencing**

Some clients will experience prison in uniquely challenging ways that result in a higher level of punishment for them. This training is focused on how to educate judges at sentencing on the realities and specific harms of prison for a vulnerable client in order to mitigate (or even eliminate) a prison sentence. This training is also focused on ways for defense counsel to proactively identify and address some of the challenges or threats that a vulnerable client will face in prison. This includes how to strategically support clients in accessing programs or treatment while incarcerated, how to document needed accommodations in prison, and how to receive the best initial classification or placement possible within a prison system. This training will discuss sentence mitigation rooted in conditions of confinement for clients with mental or physical disabilities, histories of victimization, serving time for a sex offense or as a cooperator, and how these vulnerabilities can intersect and compound for young adults in particular.

Presenter:

Tara Chen, Staff Attorney, Prisoner & Reentry Legal Services Program, The Public Defender Service for the District of Columbia, Washington DC

2:40-2:50 p.m. Break

2:50-4:20 p.m. Concurrent Workshops *(two workshops will be added here)*

- **Public Defender Coalition for Immigrant Justice**

The Public Defender Coalition for Immigrant Justice came together in the early weeks of the Biden administration to add a much-needed perspective in federal policy conversations about the intersection of the criminal and immigration legal systems. This coalition is comprised of PD offices across the country working to ensure that our clients—those trapped within both the criminal legal system and the immigration legal system—are neither left behind nor sacrificed in an effort to advance immigration reform. Learn about the work the coalition has been doing and how public defender offices can engage in these national conversations.

Presenters:

Rosa Cohen-Cruz, Immigration Policy Counsel, The Bronx Defenders, Bronx NY
TBD, Deputy Public Defender, San Francisco Office of the Public Defender, San Francisco CA
TBD, Attorney, Immigration Defense Unit, City of Atlanta Office of the Public Defender, Atlanta GA
TBD, Attorney, Immigration Unit, Law Office of the Cook County Public Defender, Chicago IL

NASAMS Track

- **Practical Tactics for Trauma-Informed Advocacy (not confirmed)**

Divisive rhetoric and policies driven by the highest office in our country fundamentally altered how we serve our clients—especially our clients of color. The tone and direction have taken a positive turn, but this ongoing tension and trauma remains a strong undercurrent of every aspect of anti-poverty legal advocacy. The vast majority of individuals involved with these court systems have histories of trauma, and the legal system itself all too often compounds and exacerbates that trauma. In this session, we'll share the latest research in neuropsychology and what it can tell us about how our lived-experiences change the way we move through the world. After the presentation, we'll collectively discuss ways to support ourselves and our colleagues in this vital and difficult work and workshop strategies to normalize a trauma-informed approach to our work.

4:20-4:30 p.m. Break

4:30-5:30 p.m. *Closing Plenary*

The Voices of Lived Experience

Ronald Simpson-Bey is an NLADA board member and current chair of NLADA's Client Council. He is also a national leader in decarceration and director of outreach & alumni engagement at Just Leadership U.S.A. Join Ronald for a discussion with the people closest to the problem and the solutions.

COD Conference Ends

Black Public Defender Association Conference, June 17-18



Thursday, June 17

12:00 – 1:30 p.m. *BPDA Opening Plenary*

Policing as Trauma: Litigating Race, Trauma, a Proposed Workshop

National debates following the killing of George Floyd highlight the need for a national reckoning on the traumatic effects of policing in communities of color. In this interactive workshop, participants will:

1. Become familiar with research on the psychological and emotional trauma associated with routine policing in communities of color;
2. Consider the unique impact of policing on adolescent development;
3. Understand how cognitive phenomena like racial bias and stereotype threat affect police discretion and police-civilian encounters; and
4. Recognize how race and trauma affect critical legal questions in a criminal case, including search and seizure, custodial interrogation, pre-trial detention, trauma-informed mens rea, and sentencing. This workshop will help defenders incorporate race into their trial strategies to understand the importance of race at various decision points in a juvenile or criminal legal case.

Presenter:

Kristin Henning, Blume Professor of Law & Director of the Juvenile Justice Clinic and Initiative at Georgetown Law, Washington DC

1:30-1:45 p.m. Break

1:45-3:15 p.m. Concurrent Workshops *(one workshop will be added here)*

- **PowerPoint Now & Beyond**

This session will go through some intermediate level thoughts on design for PowerPoint and training techniques for while we're in Zoom and for when programs go back to in-person presenting.

Presenter:

La Mer Kyle-Griffiths, Director of Training & Complex Litigation, Still She Rises, Tulsa OK

- **Race & the 4th Amendment**

Presenter:

Byron Conway Jr., Staff Attorney, Federal Defender Program, Atlanta GA



- **Warrior Motion Practice: Innovative Written Advocacy**

This course promotes the use of motion practice as a tool to address and challenge fundamental and/or social wrongs. It encourages lawyers to think outside the bounds of traditional legal and motion practice and use whatever relevant legal mechanisms necessary to construct cogent, persuasive arguments.

Presenter:

Zamir Ben-Dan, Staff Attorney, Legal Aid Society, New York NY

3:15 -3:30 p.m.

Break

3:30 -5:00 p.m.

Concurrent Workshops

(one workshop will be added here)

- **Ending the Family Death Penalty: REPEAL ASFA**

U.S. history is rooted in the rationalization of family separation to benefit white supremacy, capitalism, and mainstream U.S. values. Because of this dark history, the U.S. has grown to become the world's leader of legal destruction of families through termination of parental rights. It is the only country in the world that routinely pays people to adopt children whose parents, often women, very much want to be their parent. In 1997, the Adoption and Safe Families Act (ASFA) was enacted, which wildly changed the legal landscape of the family regulation system. At that time 47 percent of the children in the system were Black, and the drug war had been targeting Black men for low level offenses and labeling Black mothers as "crack moms." The result was an extreme attack on Black families, an attack from which we have yet to recover. This workshop will discuss the history of ASFA as well as current efforts to dismantle this federal policy. Members of the panel include directly affected activists, organizers, and lawyers working to shift the laws around this system.

Presenters:

Ashley Albert, parent advocate in Washington State

Tiheba Bain, Founder & Executive Director, Women Against Mass Incarceration, Connecticut

Erin Miles Cloud, Co-Director & Co-Founder, Movement for Family Power

Bishop Marcia Dinkins, Founder & Executive Director, Black Women Rising

Kelis Houston, Founder, Village Arms

- **Investigations Panel on Building Relationships with Clients and Attorneys**

The rhetoric of the 45th president ripped the Band-Aid off the open wound of America's history of racism. Though the administration has departed, the veil of bigotry and prejudice has been lifted for the world to see. Again. The persistent coverage of police brutality and the inequalities surrounding the criminal justice system has caused awakening. However, this awakening is accompanied by a deep distrust of the government. Lack of trust in the criminal justice system has made the difficult job of serving as a defense investigator even more difficult. How do we as public defenders in this atmosphere build meaningful and trustworthy relationships with clients? How do we support each other and shape productive relationships among attorneys and investigators as we navigate through this difficult time? This training will focus on navigating relationships and zealously investigating in a climate of distrust for a criminal justice system steeped in racism and discriminatory treatment.



Moderator:

Faheemah Downs, title, org, city & state

Presenters:

Anthony Matthews, title, org, city & state

Michael Rucker, title, org, city & state

Tyrees Smith, title, org, city & state

- **New Jim Crow 2.0: Hyper-Surveillance of Black People**

Presenters:

Heather D. Horton, Esq., Principal, The H-Squared Group LLC, Washington DC

Miriam Mack, Policy Counsel, Family Defense Practice, The Bronx Defenders, Bronx NY

Michael Thomas, Team Leader, The Bronx Defenders, Bronx NY

5:00-6:00 p.m. Networking Reception

Friday, June 18

12:00 – 1:00 p.m. *Plenary Session*

Black Men in Leadership

Presented by Derwyn Bunton, Chief District Defender for Orleans Parish (New Orleans) Louisiana; Mike Carter, Detroit Fed. Office; Sharone Mitchell, Chief Defender Cook County; Lenny Noisette, and Leigh Skipper, Head of Defender for Philly, this plenary panel will involve a discussion among some of the prominent Black men who are leaders in Public Defense. They will discuss their own leadership development, share how they have overcome obstacles they faced on their journeys, how they navigate nuances of leading while being targets in their own communities, and the goals that they have set within their leadership roles.

Presenters:

Derwin Burton, Chief District Defender for Orleans Parish, New Orleans LA

Mike Carter, Deputy Defender, Federal Community Defender Office, Detroit MI

Stan Germán, Executive Director, New York County Defender Services, New York NY

Sharone Mitchell, Chief Defender, Cook County, Chicago IL

Leonard E. Noisette, Division Director, Justice, Open Society Foundations US Program, New York NY

Leigh Skipper, Supervisory Assistant Federal Defender, Defender Association of Philadelphia, Philadelphia PA

1:00-1:10 p.m. Break



1:10-2:40 p.m. Concurrent Workshops (one workshop will be added here)

- **Juror Engagement Outside of Voir Dire & the Power to Nullify**

Presenters:

William Snowden, Director, Vera Institute of Justice, New Orleans LA

Porsha Venable, Staff Attorney, The Bronx Defenders, Bronx NY

- **Practicing While Brown (or Other): A Strengths-Based Approach**

Many of us do not look, feel, dress, worship, or choose to live like the “majority” of our colleagues or country, but we remain an integral part of the criminal legal system. In this session, we will acknowledge the generational strengths built into us, create space for humility and grace, explore ways to find our voices, and bolster our practice.

Presenter:

Anupama Vishwamitra, LCSW, Director of Mitigation, Georgia Capital Defender, Atlanta GA

- **Reimagining Better Representation: Divesting from White Supremacy within Public Defense**

The COVID-19 pandemic forcibly challenged public defenders to reimagine how we practice and relate (in the courtroom, community, and office) and what effective representation could look like for our clients. In this session, we will critically examine how we as public defenders preserve and reinforce white supremacist language, values, and structures in our work. We will first explore how the current framework of criminal defense and our roles within public defense reproduce the harm we fight against in our fieldwork and in oral and written advocacy. We will then share examples and strategies of how we can work to divest from these practices. This is a collective space for reimagining new ways to support ourselves and our clients within the legal system. We invite participants to collaborate with us as we continue to work through decolonizing ourselves and ways to disrupt harmful practices in our profession.

Presenters:

Olga Beltre, Investigator Supervisor, The Bronx Defenders, Bronx NY

Kingston Farady, Investigator, The Bronx Defenders, Bronx NY

Violeta Rivera, Equity and Institutional Transformation Associate, The Bronx Defenders, Bronx NY

Elizabeth Williams, Social Work Supervisor, Criminal Defense Practice and Adolescent Defense Project, The Bronx Defenders, Bronx NY

2:40-2:50 p.m. Break



2:50-4:20 p.m. Concurrent Workshops (two workshops will be added here)

- **Juvenile Defenders/Closing Juvenile Facilities**

Presenters:

Carmen Daugherty, Policy Director, Youth First Initiative, Washington DC

Kristina Kersey, 1st Assistant Deputy Public Defender, New Jersey Office of the Public Defender, Asbury Park NJ

Erin Morgan, Deputy Public Defender, San Joaquin County Office of the Public Defender, Stockton CA

- **Social Science Recognizes Racial Trauma: Getting the Legal System to Do the Same**

This session will identify and describe racial trauma as a recognized social construct that practitioners should be addressing in court. Dr. Antoinette Kavanaugh, forensic psychologist, will explain what racial trauma is and will provide empirical evidence and studies to support those findings. Dr. Kavanaugh, Jacinta Hall, and Carnita Mckeithen will also conduct role-playing exercises giving real world examples on how best to gather this information from our clients. Finally, we will discuss ethical implications concerning our duty to raise this issue in court while also giving guidance (motions/handouts) on how to do that.

Presenters:

Jacinta Hall, Assistant Federal Public Defender & Adjunct Professor, University of Mississippi School of Law, Jackson MS

Antoinette Kavanaugh, Ph.D., ABPP, Board Certified Forensic Psychologist, former Clinical Director of the Juvenile Justice Division, Cook County Juvenile Court Clinic, Chicago IL

Carnita McKeithen, Juvenile Trial Division Supervisor, Shelby County Public Defender, Memphis TN

4:20-4:30 p.m. Break

4:30-5:00 p.m. *Closing Plenary*

Join us for closing remarks from **James Forman Jr.**, the J. Skelly Wright Professor of Law at Yale Law School. Professor Forman teaches and writes in the areas of criminal procedure and criminal law policy, constitutional law, juvenile justice, and education law and policy. His particular interests are schools, prisons, and police, and those institutions' race and class dimensions. Professor Forman's first book, *Locking Up Our Own: Crime and Punishment in Black America*, was on many top 10 lists, including the New York Times' 10 Best Books of 2017, and was awarded the 2018 Pulitzer Prize for General Nonfiction.

BPDA Conference Ends