

## 12<sup>th</sup> Annual Juvenile Defender Leadership Summit

*“Fighting the Good Fight through Innovation and Creativity.”*

Sponsored by The Office of the Ohio Public Defender and Children’s Law Center

**Friday, September 16, 2016**

**8:30 a.m. – 5:00 p.m.**

**Ohio Fire Academy**

**8895 East Main Street**

**Reynoldsburg, Ohio 43068**

### *Agenda*

- 8:30 a.m. – 9:00 a.m. Breakfast/Registration
- 9:00 a.m. – 9:30 a.m. WELCOME  
*Timothy Young*  
Ohio Public Defender
- KEYNOTE  
*Gabriella Celeste*  
Case Western Reserve University  
Schubert Center for Child Studies
- 9:30 a.m. – 9:45 a.m. SPOTLIGHTS: STOP SOLITARY CAMPAIGN, JDAI, AND GAULT AT 50  
*Rickell Howard*  
Ohio Director of Litigation and Policy  
Children’s Law Center
- Laura Austen*  
Supervising Attorney, Juvenile Department  
Office of the Ohio Public Defender
- Charlyn Bobland*  
Assistant State Public Defender  
Office of the Ohio Public Defender
- 9:45 a.m. – 11:00 a.m. MORNING PLENARY  
**Participatory Defense: The Juvenile Defender’s Role in Systemic Reform.**  
*Amna Akbar*  
Assistant Professor of Law  
Moritz College of Law
- Kimberly Jordan*  
Director of the Justice for Children Project and Associate Clinical Professor of Law  
Moritz College of Law
- Charisse Domingo*  
Organizer and Trainer  
Silicon Valley Debug
- Brooke M. Burns, Facilitator*  
Chief Counsel, Juvenile Department  
Office of the Ohio Public Defender

11:00 a.m. – 12:15 p.m. BREAKOUT SESSIONS

**A: Navigating the Maze: Leading the Court to a Better Disposition.**

*Angela Chang*

Assistant Public Defender  
Hamilton County Public Defender

*Erin Davies*

Executive Director  
Juvenile Justice Coalition

**B: Through the Looking Glass: Investigation and Mitigation for Youth Subject to Transfer.**

*Charisse Domingo*

Organizer and Trainer  
Silicon Valley Debug

*Charlyn Bobland*

Assistant State Public Defender  
Office of the Ohio Public Defender

*Dorian Hall*

Chief, Mitigation and Investigation Department  
Office of the Ohio Public Defender

12:15 p.m. – 1:05 p.m. Lunch – provided on site.

1:05 p.m. – 1:15 p.m. PRESENTATION OF THE 2016 NOEL E. KAECH AWARDS

1:15 p.m. – 2:15 p.m. AFTERNOON PLENARY:  
**What's Happening in Juvenile Justice: Caselaw and Legislative Update.**

*Kari Bloom*

Legislative Liaison  
Office of the Ohio Public Defender

*Charlyn Bobland*

Assistant State Public Defender  
Office of the Ohio Public Defender

2:15 p.m. – 3:15 p.m. AFTERNOON PLENARY:  
**Digital Trouble: Defending Puberty in the Social Media Era**

*Brooke M. Burns*

Chief Counsel, Juvenile Department  
Office of the Ohio Public Defender

*Jefferson Liston, Esq.*

Law Office of Jefferson Liston, LLC

3:15 p.m. – 3:30 p.m. Break

3:30 p.m. – 5:00 p.m. BREAKOUT SESSIONS

**A: False Confessions: Understanding the Science and Mastering Litigation Techniques.**

*Joanna Sanchez*

Assistant State Public Defender  
Office of the Ohio Public Defender

**B: The Basics of DNA Litigation.**

*Carrie Wood*

Assistant State Public Defender  
Office of the Ohio Public Defender

*Jefferson Liston, Esq.*

Law Office of Jefferson Liston, LLC

## **BREAKOUT SESSION DESCRIPTIONS:**

### **MORNING SESSION (11:00 – 12:15) A:**

#### **Navigating the Maze: Leading the Court to a Better Disposition.**

When the court is considering commitment to the Ohio Department of Youth Services as a disposition for your client, it can be an uphill battle to find an alternative, individualized, disposition plan that the judge will accept. This session will discuss what research says about residential or community treatment that is more effective at preventing recidivism, give examples of Ohio disposition programming that works, and how to find out how your county is spending its RECLAIM dollars. Presenters will discuss practical ways to prepare and present an alternative disposition plan to the court. Participants will have an opportunity to map the available dispositions in their jurisdictions, and work through a case study on disposition planning.

### **MORNING SESSION B:**

#### **Through the Looking Glass: Investigation and Mitigation for Youth Subject to Transfer.**

The amenability hearing determines whether a juvenile client will receive a rehabilitative disposition in the juvenile system or a punitive sanction in the adult system. During the first part of this breakout, attendees will use a case study to prepare for a discretionary bindover hearing. Presenters will discuss relevant discretionary bindover statutes and case law; how to collect information and interview witnesses; how to use family and community members during hearings; and, how to present information to the court.

The U.S. Supreme Court has held that juvenile life without parole (JLWOP) cases are analogous to death penalty cases for adults. During the second part of this breakout, attendees will focus on preparing for a sentencing hearing when the client is facing a JLWOP sentence. Presenters will discuss relevant Supreme Court case law; the importance of utilizing mitigation and clinical experts; current standards of representation for these cases; working with family and community members; and, ways to present mitigating evidence at the hearing.

### **AFTERNOON SESSION (3:30 – 5:00) A:**

#### **False Confessions: Understanding the Science and Mastering Litigation Techniques.**

This session will give attendees the social science background that explains the different types of false confessions and the factors and environment which can lead to a juvenile making a false confession. It will also give defenders strategies for litigating false confessions in and after suppression proceedings, including investigation, pretrial litigation, and selection and use of expert testimony in those cases.

### **AFTERNOON SESSION B:**

#### **The Basics of DNA Litigation.**

This session will give attendees tools to litigate cases where DNA evidence is produced by explaining introductory concepts of DNA results and testing through a presentation of the basic documentation necessary to read and evaluate DNA results. The session will also introduce more advanced concepts such as mixture interpretation, transfer, and statistics, as well as the necessity of expert review of testing results and frequent errors made when counsel is not provided with appropriate documentation and expert guidance.

## **FACULTY BIOS:**

### **Amna Akbar, Assistant Professor of Law, Moritz College of Law**

Professor Akbar received her B.A. from Barnard College, Columbia University, and her J.D. from the University of Michigan, where she served as editor-in-chief of the Michigan Law Review. After law school, she clerked for Judge Gerard E. Lynch in the U.S. District Court, Southern District of New York. She spent two years as a staff attorney with the Queens Legal Service Corp., part of Legal Services NYC, in a community-based battered women's legal services project. Then, she taught for three years as a clinical fellow with the International Human Rights Clinic at New York University, and one year at City University of New York Law School in the CLEAR (Creating Law Enforcement Accountability and Responsibility) project, a cross-clinical collaboration between the Immigrant & Refugee Rights Clinic and the Defenders Clinic. Her interdisciplinary research focuses on the intersections of national security and criminal law, and on the functioning of the contemporary punitive state. She has written extensively on the role of counter-radicalization in shaping national security policing and prosecutions. Underlying her research is an effort to understand the relationships between law and legal discourse, policing, and inequality. Her clinical practice is focused on law and organizing for marginalized communities. With her students, she has litigated in state, federal, and transnational forums against domestic and foreign governments for human and civil rights abuses, researched and written community-based human rights reports, and collaborated with community organizations in campaigns for public education and collective change. Professor Akbar's work has been published in the *UCLA Law Review*, *UC Irvine Law Review*, the *Journal of Legal Education*, the *Nation*, and more. She serves on the board of the *Clinical Law Review*.

### **Kari Bloom, Office of the Ohio Public Defender**

Kari Bloom is the Legislative Liaison at the Office of the Ohio Public Defender. Prior to joining OPD, Kari worked as a trial attorney for the Juvenile Division of the Hamilton County Public Defender, and held a fellowship at the Children's Law Center, Inc., in Covington, Kentucky. In 2014, Kari was part of the inaugural class of the Juvenile Immersion Training Program in Washington, D.C. She has attended several public advocacy training courses, including the National Defender Training Project trial school. Kari graduated from Bowling Green State University in 2008 with a degree in Political Science and received her J.D. in 2011 from The University of Cincinnati, College of Law.

### **Charlyn Bohland, Office of the Ohio Public Defender**

Charlyn Bohland is an Assistant State Public Defender in the Juvenile Department of the Office of the Ohio Public Defender. Charlyn earned an Honors B.A. in Political Science from The University of Akron; and, a J.D. from Capital University Law School, receiving the Dean's Public Service Award and Pro Bono Legal Honors. During law school, Charlyn was a member of the National Moot Court Team and Executive Research Editor of the Law Review. She is the author of *No Longer a Child: Juvenile Incarceration in America*, published in Capital's Law Review. Charlyn represents youth in appeals, post-conviction actions, and release proceedings. Charlyn is especially interested in juvenile competency and sealing/expungement proceedings. At the OPD, Charlyn is a member of the kids in adult prison and racial justice working groups. Charlyn is also a member of the Juvenile Law Center's National Working Group on Juvenile Records.

### **Brooke M. Burns, Chief Counsel, Juvenile Department, Office of the Ohio Public Defender**

Brooke Burns is Chief Counsel of the Juvenile Department of the Office of the Ohio Public Defender. Brooke graduated from The Ohio State University in 2002 with Honors and B.A. in English, and she earned her J.D. and a Certificate in Children's Studies from Moritz College of Law in 2005. Brooke joined OPD in 2006 and the Juvenile Department in 2007. A significant portion of her work focused on representing youth who are charged with sexually oriented offenses and challenging the application of Ohio's Sex Offender Registration and Notification Act (SORNA) to children. Brooke is a JTip certified trainer and has trained juvenile defenders locally, statewide, and nationally on issues related to sex offender registration, fair treatment of LGBTQ youth, and on juvenile delinquency matters in general. At the OPD, Brooke is a member of the Kids in Adult Prison and Racial Justice Initiative working groups.

**Gabriella Celeste, J.D., Policy Director for Case Western Reserve University Schubert Center for Child Studies.**

Gabriella Celeste, J.D. is Policy Director for CWRU's Schubert Center for Child Studies and Co-Director of the Childhood Studies Program. The Center bridges child-related research, education, policy and practice to promote effective public policy and practice for the well-being of children. Gabriella was instrumental in the development of a policy agenda for juvenile justice system reforms adopted in Ohio law and has been engaged in efforts to divert youth from deeper system involvement and improve youth-police interactions. She teaches an undergraduate child policy curriculum, has authored numerous reports and policy papers, and conducts trainings and presentations on topics related to child well-being and developmentally-informed policies and practices. Gabriella has worked in various nonprofit and administrative roles, including conducting applied research, evaluation and technical assistance to improve services for vulnerable children and youth. She co-founded the Juvenile Justice Project of Louisiana, a nonprofit law practice that also spun-off family engagement and alternative youth development programs. She is a Governor appointee on the Ohio Public Defender Commission and sits on the Board of Directors for Magnolia Clubhouse, the Youth Risk Behavior Survey Community Advisory Board, the ADMHAS Mental Health Response Advisory Committee and the Cuyahoga County "Defending Childhood" Governing Board. Gabriella has a B.S. from Northwestern University and J.D. from the University of Michigan Law School. She lives with her husband and two sons in Shaker Heights, Ohio.

**Angela Chang, Hamilton County Public Defender**

Angela Chang serves youth in delinquency court as Juvenile Trial Counsel of the Hamilton County Public Defender. She began her legal career representing the criminally accused as Deputy State Public Defender for the Office of the Colorado State Public Defender. In 2010, Angela shifted her focus to juvenile justice issues at the Children's Law Center, Inc. At CLC, she coordinated juvenile defense trainings for hundreds of juvenile defense attorneys, worked on policy reforms, and provided technical assistance and support to juvenile defense attorneys in the region. She coordinated the Ohio JDAI Indigent Defense Project in collaboration with the Annie E. Casey Foundation and the Ohio Juvenile Detention Alternatives Initiative (JDAI). Angela has represented children in education, delinquency, and custody proceedings. She has presented on a wide variety of juvenile defense topics across the country and is a certified Juvenile Training Immersion Program trainer.

**Erin Davies, Executive Director, Juvenile Justice Coalition**

Erin is the Executive Director of the Juvenile Justice Coalition, which works with all three of Ohio's branches of government to promote best practices and outcomes for youth in juvenile courts. Erin holds leadership positions in Ohio with the Ohio Juvenile Justice Alliance and nationally with the National Juvenile Justice Network. She recently released a report on data collection in Ohio's juvenile courts. Erin previously worked at the Children's Law Center, Inc. on youth in the adult court system and worked for 6 years in Washington DC with the Campaign for Youth Justice and with two Members of Congress.

**Charisse Domingo, Organizer and Trainer, Silicon Valley De-Bug**

Charisse Domingo is an organizer and trainer with Silicon Valley De-Bug's Albert Cobarrubias Justice Project (ACJP). ACJP is the creator of participatory defense – a community organizing model for people facing charges, their families, and communities to impact the outcome of cases and transform the landscape of power in the court system. Participatory defense has led to reduced sentences, dropped charges, defeated deportations, and most of all, reunited families. Charisse has presented on participatory defense and trained public defenders and investigators on the use of social biography in criminal cases. She has also produced social biography videos that have been used in immigration, criminal cases, and parole hearings. Charisse has been part of ACJP since its inception. She is also a documentary photographer.

### **Dorian Hall, Mitigation and Investigation Department Chief, Office of the Ohio Public Defender**

Dorian is the Supervisor of the Mitigation and Criminal Investigation Department of the Ohio Public Defender, where she supervises eight mitigation and criminal investigators. For over 27 years, Dorian has conducted mitigation investigations to develop bio-psycho-social histories on clients for trial and appellate level cases in state and federal court. Dorian joined the Ohio Public Defender as a mitigation specialist in 1988 and became Supervisor of the department in 1994. Dorian has been a licensed social worker since 1992, and began her career as a social worker in the Franklin County Correction Center, working with inmates facing federal charges and those with mental illness. Dorian received her Bachelor's Degree in Psychology and Sociology from Miami University and her Master's Degree in Sociology from the Ohio State University.

### **Kimberly P. Jordan, Director of the Justice for Children Project and Associate Clinical Professor of Law, Moritz College of Law**

Professor Kimberly P. Jordan is the Director of the Justice for Children Project and an Associate Clinical Professor of Law. She teaches in the *Justice for Children Clinic* representing juveniles in delinquency, child welfare, and immigration matters. She also supervises the Greif Fellowship in Juvenile Human Trafficking. Professor Jordan is a member of the Ohio State Bar Association, the Ohio Juvenile Justice Alliance, a board member of the Central Ohio Association of Juvenile Lawyers, and a certified trainer for the National Juvenile Defender Center Project "Juvenile Training Immersion Program." She has recently been named to the Supreme Court of Ohio's Trafficking in Children Workgroup.

Prior to joining Moritz, Professor Jordan was a Senior Attorney at the Legal Aid Society of Southwest Ohio, LLC, where she specialized in family law and the representation of children. Early in her career, she served in the Jesuit Volunteer Corps and was a licensed substance abuse counselor. Professor Jordan is a graduate of the Loyola University Chicago of Law, where she was a ChildLaw Fellow, and Xavier University.

### **Jefferson Liston, Law Office of Jefferson Liston, LLC**

Jefferson E. Liston is the former Chair of the Ohio Public Defender Commission and a former board members and board president of the Ohio Association of Criminal Defense Lawyers. He was a member of the Governor's Task Force on the Investigation and Prosecution of Child Abuse. He is a former Magistrate of the Franklin County Juvenile Court and was the founding President of the Ohio Association of Magistrates and the Central Ohio Association of Juvenile Lawyers. He is lead counsel qualified in death penalty cases. In private practice he has represented hundreds of children, parents, grandparents, and foster parents in all aspects of juvenile and family law. He has been a speaker on juvenile law for the National Juvenile Defender Center, Ohio Judicial College, Ohio CLE Institute, Columbus Bar Association, Ohio State Public Defender, The Ohio State University, Moritz College of Law, Capital University Law School, Ohio Association of Criminal Defense Lawyers and Ohio Juvenile Law Symposium. He has been recognized in Who's Who in American Law and Ohio Super Lawyers from 2005 to the present. He is a 1978 graduate of Case Western Reserve University School of Law.

### **Joanna Sanchez, Office of the Ohio Public Defender**

Joanna Sanchez is currently an Assistant State Public Defender in the Wrongful Conviction Project of the Office of the Ohio Public Defender. Her practice focuses on the investigation, evaluation, and litigation of post-conviction actual innocence cases where DNA evidence is unavailable. Many of her current cases involve faulty forensic evidence, including arson, shaken baby syndrome/abusive head trauma, false confessions, gunshot residue, and eyewitness identification. Joanna is a member of OPD's Forensic Training Unit and currently serves on the Amicus Committee of the Innocence Network. She completed her undergraduate studies at Ohio University, where she majored in Psychology and Sociology. She graduated from the Ohio State University Moritz College of Law in 2011. While in law school, she worked for the Office of the Ohio Public Defender, the Ohio Supreme Court Specialized Dockets Section, and the American Bar Association Center on Children and the Law in Washington, D.C.

**Carrie Wood, Office of the Ohio Public Defender**

Carrie Wood is currently an Assistant Public Defender in the Appeals and Post-Conviction Department of the Office of the Ohio Public Defender. Ms. Wood joined the Ohio Public Defender after working at the Ohio Innocence Project. During her three years at the Ohio Innocence Project, Ms. Wood's practice consisted primarily of evaluating and litigating DNA evidence as well as other types of evidence discussed in the 2009 National Academy of Sciences Report: Strengthening Forensic Science in the United States: A Path Forward. Ms. Wood is also a member of the complex DNA Working Group Network. Ms. Wood completed her undergraduate studies at Cornell University, where she majored in Engineering. Following her graduation from the University of Cincinnati College of Law, Ms. Wood worked in the Criminal Defense Practice of the Legal Aid Society in New York City providing legal representation to indigent defendants at the trial level.