

**Registration Form: Federal Criminal Defense Practice Seminar – November 7, 2017**

**THERE IS NO FEE FOR THIS SEMINAR. PRE-REGISTRATION IS REQUIRED.**

NAME: \_\_\_\_\_ OFFICE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY/STATE/ZIP: \_\_\_\_\_ EMAIL: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_ FAX: \_\_\_\_\_

You **MUST** complete this form and return it  
by **Tuesday, October 31, 2017** to:

New York State Defenders Association  
194 Washington Ave., Suite 500  
Albany, NY 12210-2514  
Fax: 518-465-5249 Email: [ddubois@nysda.org](mailto:ddubois@nysda.org)

**Cancellations: Registered participants who  
are unable to attend the program, PLEASE  
notify Diane DuBois at [ddubois@nysda.org](mailto:ddubois@nysda.org) at  
NYSDA to reduce program costs and expenses.  
*Thank you!***

This seminar is intended for ALL practicing Federal Criminal Defense Counsel. Questions? Please call 518-465-5524.

**MCLE Skills Credits**

NYSDA has been certified by the New York State Continuing Legal Education Board as an Accredited Provider of continuing legal education in the State of New York (2016-2019). This transitional/nontransitional program has been approved in accordance with the requirements of the Continuing Legal Education Board for a maximum of 6.0 credit hours. No CLE credit may be earned for repeat attendance at any accredited CLE activity within any one reporting cycle.



# Federal Criminal Defense Practice Seminar

Sponsored by  
the Office of the Federal  
Public Defender for the  
Northern District of New York  
and the  
New York State  
Defenders Association

**Tuesday,  
November 7, 2017  
8:00 am-3:50 pm**

Hilton Albany Downtown  
State & Lodge Streets  
Albany, NY 12207

**6.0 MCLE Skills Credits**

## PROGRAM

8:00-8:30 am Registration

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8:30-8:45 am

**Welcome and Opening Remarks/  
NDNY Criminal Defense Updates—**  
Lisa Peebles

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8:45-10:25 am

**Applying the Brakes on a Runaway  
Train: An Overview of Federal  
Forfeiture and the Supreme Court's  
New Limits in *Honeycutt v United  
States*—**Steven Kessler

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10:25-10:40 am Break

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10:40 am-11:30 am

**Investigating the Evidence:  
Getting the Records You Need—**  
Faheemah Downs & Terence Kindlon

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11:30 am-1:00 pm Lunch (on your own)

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1:00-1:50 pm

**Impeachment of Witnesses: Methods  
and Mechanics—**Jason Downs

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1:50-2:40 pm

**Cyber Ethics: Using Social Media in  
Investigation, How to Stay Out of  
Trouble Using Social Media, Ethical  
Considerations & Data Mining—**  
Tony Gallagher

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2:40-3:00 pm Break

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3:00-3:50 pm

**Cross-Examination of Eyewitnesses—**  
Paul Rudof

## SPEAKERS

**Faheemah Downs** is the Deputy Chief of Investigations at the Public Defender Service for the District of Columbia (PDSDC) and has been working at PDSDC since September 2002. Faheemah has a Bachelor's Degree in Law and Society from the University of California, Santa Barbara. As Deputy Chief, she has held the positions of Lead Training Coordinator for the Investigations Division and Lead Investigator for the Special Litigation Division, while simultaneously conducting investigations for both juvenile and adult indigent defendants. Faheemah also assists in the development and training of fellow staff investigators, staff attorneys, intern investigators, Criminal Justice Act investigators, and National Defender Investigator Association members.

**Jason Downs, Esq.** honed his litigation skills at the Public Defender Service for the District of Columbia (PDSDC). He gained nearly a decade of experience working at PDSDC, serving as lead counsel on 26 felony jury trials against federal prosecutors. Jason was promoted to Training Director and was responsible for routinely updating 200 public defenders and private attorneys on matters relating to litigation training, trends in expert testimony, advances in trial techniques, and more. He was a part of the litigation team that investigated and settled the Freddie Gray civil matter. He continues to provide frequent lectures regarding current litigation techniques, trial procedures, and related matters. He is a faculty member of Harvard Law School's Trial Advocacy Workshop and an adjunct law professor at the University of Maryland School of Law.

**Tony Gallagher, Esq.** graduated with distinction from Duquesne University. Following decorated service in the United States Army during the Vietnam conflict, Tony received his J.D. from the University of Baltimore School of Law. In 1992, he was selected as the first Executive Director of the Federal Defenders of Montana, Inc., a post he holds to this day. As an active litigator, he has taken part in hundreds of jury and non-jury trials. He has significant appellate experience, including appearances in the United States Supreme Court. He was named Criminal Defense Lawyer of the Year in 2005 by the Montana Association of Criminal Defense Lawyers and was the 2016 recipient of the Ninth Circuit's John Frank Award, which is presented to outstanding attorneys practicing in federal courts in the western United States. He has been an adjunct professor at three law schools and a guest lecturer at five others.

**Steven L. Kessler, Esq.** is a nationally recognized authority in the field of forfeiture law, representing clients in forfeiture and white collar criminal cases in state and federal district and appellate courts nationwide. He is a member of the Joint Rules Committee on Forfeiture for the Southern and Eastern Districts of New York. Mr. Kessler is the author of *Civil and Criminal Forfeiture: Federal and State Practice* (West Group 1993 & Supp. 2016), a three-volume treatise analyzing the forfeiture and RICO statutes of all 50 states and the District of Columbia and the major federal forfeiture provisions. He received the Otto L. Walter Distinguished Writing Award from New York Law School in June 2000 for his one-volume treatise, *New York Criminal and Civil Forfeiture*. A graduate of Cornell Law School, he is in his twenty-fourth year as an adjunct law professor at New York Law School, where he teaches New York Practice.

**Terence L. Kindlon** has practiced criminal defense in Albany for 44 years. He began as an assistant public defender, entered private practice in the late 1970's, and retired in 2016. Approximately four weeks after his retirement, he returned to the Public Defender's Office, serving, in rapid succession, as (1) Director of Training, (2) Acting Public Defender and, finally, (3) Chief Assistant, the position he now holds. Over the years, Terry has frequently argued before the state appellate divisions, the New York Court of Appeals, and United States Court of Appeals for the Second Circuit. He has tried more than 175 felonies to verdict in state and federal court.

**Lisa Peebles, Esq.** is the Federal Public Defender for the Northern District of New York. Lisa has been with the office of the Federal Public Defender since its creation in 1999. Prior to being the Federal Public Defender, Lisa was the First Assistant Defender, managing the Syracuse office.

**Paul Rudof, Esq.** has been a public defender in Massachusetts for 17 years. He is currently the Public Defender Co-Counsel at the Committee for Public Counsel Services (CPCS). Previously, he worked as a staff attorney in the CPCS Criminal Defense Training Unit and in the Essex County office of the CPCS Public Defender Trial Unit. Paul has tried felony cases, including first degree murder cases, in Superior and District Courts throughout the Commonwealth and has argued numerous times before the Supreme Judicial Court and Massachusetts Appeals Court. Paul is also a faculty member at the National Criminal Defense College in Macon, Georgia, and he has taught defenders at conferences and skills programs across the nation.