

ADVISORY COUNCIL FOR PROSECUTING ATTORNEYS

2024 PROSECUTORS CONFERENCE

SEPTEMBER 25-27, 2024

LAS VEGAS, NEVADA



CONFERENCE AGENDA

DAY ONE: SEPTEMBER 25, 2024

11:00 A.M. - 12:00 P.M.	REGISTRATION <i>Grand Foyer</i>	
-------------------------	---	--

12:30 P.M. - 1:00 P.M.	WELCOME RAGGIO AWARD PRESENTATIONS <i>Grand 4</i>	Aaron D. Ford, Attorney General Christopher Hicks, Washoe County District Attorney Steven Wolfson, Clark County District Attorney
------------------------	---	---


1:00 P.M. - 3:00 P.M.	EMERGING LEGAL TRENDS EVERY PROSECUTOR SHOULD KNOW (2.0 general CLE credits) <i>Grand 4</i>	Anthony Bandiero CEO/Attorney Blue to Gold LLC This course will provide prosecutors with critical insights into emerging legal trends impacting law enforcement and prosecutors. The class will cover three primary topics: 1) challenges that law enforcement officers face regarding curtilage; 2) legal pitfalls of pretextual vehicle tows; and 3) the ambiguous legal landscape surrounding the search of individuals without making an arrest.
-----------------------	--	---

3:00 P.M. – 4:00 P.M.	LEGAL CHALLENGE TO NRS 178.4849 (1.0 general CLE credits) <i>Grand 4</i>	Marc Schifalacqua Senior Assistant City Attorney, City of Henderson In 2021, the Nevada Legislature enacted Assembly Bill No. 424 (later codified as NRS 178.4849), which required Nevada’s lower courts to hold adversarial bail hearings within 48 hours, including nonjudicial days, after a defendant’s arrest. Previously, NRS 171.178 governed a defendant’s first appearance in court after an arrest, which provided for a hearing within 72 hours after arrest, excluding nonjudicial days. The practical result of NRS 178.4849 has been alarming. In short, adversarial bail hearings are many times occurring within a handful of hours after a defendant’s arrest. Rushing bail hearings has not only provided for more inconsistent and unpredictable bail decisions, but it has also robbed crime victims of the ability to exercise their constitutional rights in the bail process. Further, many times the Nevada pretrial Risk assessment, which was mandated by the Nevada Supreme Court, will not be sufficiently completed by the time of the bail hearing, due to the rushed timeframe between arrest and hearing. As such, NRS 178.4849 directly violates both Marsy’s Law and the separation of powers doctrine. This presentation will detail the City of Henderson’s constitutional challenge to NRS 178.4849, including a prosecutor’s standing to challenge an unconstitutional law and fight for a fairer bail system in Nevada.
-----------------------	---	--

04:00 P.M. – 04:15 P.M.	BREAK	
-------------------------	--------------	--

04:15 P.M. – 05:15 P.M.	DUI EMERGING TRENDS AND HOT TOPICS (1.0 general CLE credits) <i>Grand 4</i>	Shannon Bryant Nevada Traffic Safety Resource Prosecutor Deputy District Attorney, Washoe County This one-hour presentation will review recent legal developments affecting impaired driving prosecutions, current legislative initiatives, and emerging trends seen in DUIs, including fentanyl and cannabis. Topics to be addressed will include the 2023 cannabis impairment studies regarding the effectiveness of field sobriety tests for detecting cannabis impairment, the <i>Olenowski</i> decision from the New Jersey Supreme Court regarding the
-------------------------	--	---

		admissibility of drug recognition expert testimony, Nevada’s recent and proposed legislative and regulatory changes in chapter 484C of NRS and chapter 483 of NAC, oral fluid testing, law enforcement phlebotomy, and more.
--	--	--

06:00 P.M. - 08:00 P.M.	WELCOME RECEPTION <i>Troy’s Liquor Bar</i>	Sponsored by Karpel Solutions PROSECUTORbyKarpel is an efficient, time-saving case management software solution for prosecutors. After 30 years of serving the American judicial system, PbK is the most widely used prosecutor case management software in the United States. 
-------------------------	--	---

DAY TWO: SEPTEMBER 26, 2024

8:00 A.M. - 09:00 A.M.	BREAKFAST <i>Grand 1</i>	
------------------------	------------------------------------	--

9:00 A.M. - 11:00 A.M.	STRENGTHENING OUR PROSECUTION RESPONSE TO SEXUAL ASSAULT AND DOMESTIC VIOLENCE (1.0 general CLE credits, 1.0 ethics CLE credits) <i>Grand 4</i>	Fara Gold, Attorney Advisor Office on Violence Against Women U.S. Department of Justice Sexual assault and domestic violence allegations are far too often declined without investigation and prosecution even though they have merit. Myths about how these crimes are committed and reported, misperceptions about victim behavior and victim accounts, and misconceptions about the evidence required to prove these allegations threaten to derail investigations, sometimes before they even get started. This training will address five baseline principles to turn the tide and equip prosecutors to strengthen our response to sexual assault and domestic violence: (1) Relying on the evidentiary value of the victim’s account; (2) Meeting with the victim and working collaboratively with law enforcement and victim specials; (3) Using evidentiary rules effectively and strategically to corroborate and protect the victim’s account; (4) Being thoughtful about what accountability and
------------------------	--	--

		justice look like; and (5) Sustaining a committed workforce.
--	--	--

11:00 A.M. - 11:15 A.M.	BREAK	
-------------------------	--------------	--

11:15 A.M. - 12:45 P.M.	THE PRISON TIME CREDIT SYSTEM IN NEVADA (1.5 general CLE credits) <i>Grand 4</i>	<p>Donald Southworth Chief, Offender Management Division Nevada Department of Corrections</p> <p>This presentation will discuss the policy at the Nevada Department of Corrections regarding time credits for inmates - why they are utilized, how the Offender Management Division operates to track and assess credits, and how this fits within the process for parole, probation, and release.</p>
-------------------------	---	--

12:45 P.M. - 1:45 P.M.	LUNCH <i>Grand 1</i>	
------------------------	--------------------------------	--

02:00 P.M. - 04:00 P.M.	COMBATting HUMAN TRAFFICKING IN NEVADA (2.0 general CLE credits) <i>Grand 4</i>	<p>Steven Rose Assistant United States Attorney United States Attorney's Office</p> <p>Karissa Garr, LCSW Clinical Director Family and child Treatment of Southern Nevada</p> <p>This presentation will provide a comprehensive overview of human trafficking, including its definition and the critical importance of collaborative, multidisciplinary partnerships in combatting this crime. It will equip attendees with essential techniques for effectively screening and interviewing human trafficking victims, emphasizing the local and regional dimensions of this issue. The presentation will also highlight the array of available services for victims and identify key risk factors to enhance their understanding and response.</p>
-------------------------	--	---

04:00 P.M. – 05:00 P.M.	FATIGUE OF SUCCESS AND ADDICTION (1.0 AAMH CLE credits) <i>Grand 4</i>	Kim Advent Co-Founder and President School for a Beautiful Life The fatigue of success and addiction produces an irrational emotion that enables us to abandon our goals, a good quality of life, and sometimes life itself. It is part of our psychology that at some times does not want ourselves to succeed. This can happen both in our personal and professional lives – the key is to know what do when it arises.
-------------------------	---	--

DAY THREE: SEPTEMBER 27, 2024

07:30 A.M. – 08:45 A.M.	BREAKFAST <i>Grand 1</i>	
-------------------------	------------------------------------	--

8:45 A.M. – 09:45 A.M.	REACHING A FAIR AND JUST VERDICT: GUIDING THE JURY'S RESPONSE TO THE EVIDENCE (1.0 general CLE credits) <i>Grand 4</i>	Patricia Powers Senior Attorney Advisor AEquitas After being thrust into an unfamiliar role in a complex system that is often equally unfamiliar, jurors in sexual assault and domestic violence cases faces the daunting task of reaching a just verdict for a crime that is shrouded in misconceptions. In this foreign terrain, prosecutors serve as a trusted guide – pointing out familiar landmarks of personal experience and presenting witnesses and other evidence in a manner that makes them both understandable and relatable. By assisting jurors in forming personal connections to the evidence, the prosecutor can remove obstacles that might otherwise block the jury's path to a just finding of guilt. This presentation will discuss ways to focus the jury's attention on the evidence in a manner that accurately conveys the reality of sexual assault and assists jurors in rendering a fair and just verdict – beginning with jury selection and continuing through opening statement, presentation of evidence, and summation.
------------------------	---	--

9:45 A.M. - 11:15 A.M.	APPELLATE ISSUES UPDATE (1.0 general CLE credits, 0.5 ethics CLE credits) <i>Grand 4</i>	Alex Chen Chief Deputy District Attorney Clark County District Attorney Marilee Cate Appellate Deputy Washoe County District Attorney This presentation will discuss new legal trends in preserving the record for appeals and prosecutorial misconduct, as well as an update on opinions from the Nevada Supreme Court.
------------------------	---	--

11:15 A.M. - 11:30 A.M.	BREAK	
-------------------------	--------------	--

11:30 A.M. - 1:00 P.M.	DISCUSSION ON THE WASHOE COUNTY DA'S CHARGING AND PLEA BARGAIN STANDARDS (1.0 general CLE credits, 0.5 ethics CLE credits) <i>Grand 4</i>	Zach Young Assistant District Attorney, Criminal Division Washoe County District Attorney Luke Prengaman Washoe County District Attorney This discussion will go over the policy and ethical decisions made related to the drafting and publication of this charging and plea bargain policy, and the practical implications that it has had on both internal office deliberations and the criminal justice system in Washoe County.
------------------------	--	---

Thank you to this year's conference sponsors!

