



Nebraska County Attorney's Association Fall Conference (MCLE: 20.75)  
October 17-19, 2018 | DoubleTree by Hilton Hotel Omaha Downtown  
1616 Dodge St, Omaha, NE 68102  
**Internet Access: Doubletree Meeting**  
**Password: necaa2018**

**Wednesday, October 17 CLE Hours: 9.0 (3 CAC)**

**8:00 AM Welcome Introductions | Announcements – NECAA President, Melanie Young, Chief Deputy Attorney, Buffalo County and Don Kleine, County Attorney, Douglas County**

**8:15 – 8:45 AM**

**Justice Reinvestment - 3 Years Later (.5)**

An examination of 2015 Justice Reinvestment Initiative. What we know: the objectives, the trends, the challenges and what's working.

**Presenter:** Deb Minardi, Deputy Probation Administrator, Community-Based Programs & Field Services, Office of Probation Administration

**8:45 – 9:15 AM**

**Adolescent Development – A Framework for Youth Justice and Service Delivery (.5)**

Research has shown that building upon a youth's community connections, positive peer and adult relationships, and family engagement strategies are instrumental to achieving success and avoiding future delinquency and crime. This session will tie research to practice and discuss the value of a system focused on adolescent development and how to deliver services using individualized strength-based, developmentally sound approaches that focus on assets, skills, and decision making.

**Presenters:** Jeanne K. Brandner, Deputy Probation Administrator of Nebraska's Administrative Office of the Courts and Probation. Kari Rumbaugh, Assistant Deputy Administrator with the Administrative Office of Probation, Juvenile Division

**9:15 – 9:45 AM**

**Supreme Court Rule Amendments for Citations and Complaints (.5)**

This session will cover amendments to Supreme Court Rules 6-1422 and 6-1463 relating to citations and complaints including effective dates, reasons why amendments were made and agencies involved in the recommended changes submitted to the court.

**Presenter:** Sherri Dennis, Business Analyst Supervisor, Nebraska Supreme Court

**9:45 – 10:45 AM**

**Working With Victims of Domestic Violence and Sexual Assault (1.0)**

This presentation will focus on strategies and best practices in working with victims of domestic and sexual assault to more effectively prosecute these difficult cases.

**Presenters:** Jason Bergevin, Assistant Attorney General, Nebraska Attorney General's Office and George C. Welch, Assistant Attorney General, Nebraska Attorney General's Office

**10:45 – 10:55 AM**

**Break**

**10:55 - 11:00 AM**

**Report, Nebraska Bar Association, Executive Council**

Jon S. Schroeder, District 6

**11:00 AM– 12:00 PM**

**How to Make Your County Money Examining an Inheritance Tax Worksheet (1.0)**

This session will teach you how to examine an Inheritance Tax Worksheet (Form 400) so that your County receives all the inheritance tax owed by a decedent. The basics of Nebraska Inheritance Tax law will be provided as well as technical advice on proper calculations and deductions.

**Presenter:** Jon S. Schroeder, Frontier County Attorney

**12:00 – 1:00 PM Lunch On Your Own**

**12:00 – 1:00 PM NECAA Legislative Review | Meeting**

**1:00 – 1:30 PM**

**DUI Update (.5)**

An update regarding current events and developments in Nebraska impaired driving-related crime prosecution. After the presentation, the presenters will be available at a table in the lobby or side room for approximately one hour to field questions | share information with prosecutor conference attendees.

**Presenters:** Ashley Bohnet: Deputy Lancaster County Attorney  
Jessica Laughlin: Deputy Scottsbluff County Attorney  
Edward Vierk: Assistant Attorney General/Nebraska Traffic Safety Resource Prosecutor

**1:30 – 2:30 PM**

**Adjudicating Commercial Motor Vehicle Violations in Accordance with Nebraska’s Laws and Federal Motor Carrier Safety Administration’s Rules and Regulations (1.0)**

**MASKING:** A “state must not mask, defer imposition of judgment, or allow an individual to enter into a diversion program that would prevent a CDL driver’s conviction for any violation” from showing on the driver’s license record. But what actions constitute “masking” and how can a judge avoid it?

**Presenter:** Honorable Gary A. Graber, Darien, New York  
Sponsored by National Judicial College (NJC)

**2:30 – 3:30 PM**

**Saving Lives by Changing Offender’s Behavior and Attitude - A Judicial Partnership (1.0)**

Learn how developing partnerships with key stakeholders in the judicial system has led to a 70-80% decline in recidivism for motor vehicle offenders. This dynamic and quick paced session reviews current traffic safety research for the State of Nebraska and explains which court ordered classes pose the best fit for offenders. We’ll examine why our behavior drives the choices we make when behind the wheel and how we can change that behavior to create a safer community.

**Presenter:** Mark Segerstrom, BS, DC, Road Safety Project Coordinator, Nebraska Safety Council

**3:45 – 4:15 PM**

**Transportation from Doubletree to Project Harmony**  
**Preregistration required – limited capacity.**

**4:15 – 7:15 PM**

**Child Advocacy Centers and Emerging Topics, Project Harmony, 11949 Q St, Omaha, NE 68137**

**4:15 – 5:45 PM Nebraska Alliance of Child Advocacy Centers – Multi-Disciplinary Team focus (1.5 CAC)**

This presentation will highlight the importance of the Child Advocacy Center Model and the response to child abuse through a supportive team approach to reduce the trauma to children and their families. Attention will specifically focus on the efforts to support the work of the collaborative, multi-disciplinary investigative teams. The value of the established partnership between the county attorneys, the investigative members and the rest of the multi-disciplinary team will be reinforced.

**Presenters representing Project Harmony:** Ivy Svoboda, MSW, Lt. Tracy Scherer and Colleen Brazil

**5:45 – 6:30 PM Serving Non-System Involved Missing Youth (.75 CAC)**

In October 2017, Project Harmony was asked to become involved in a collaboration with the Douglas County Attorney's Office, the Juvenile Assessment Center, and Omaha Police Department's Child Victim Sexual Assault Unit around missing juveniles who are non-system involved. Recent data indicated there were a significant reports of missing juveniles under the age of 18. This presentation will provide an overview on the Child Advocacy Center's response and partnership with local professionals to address this issue of non-system involved missing youth.

**Presenters:** Lt. Tracy Scherer and Colleen Brazil

**6:30 – 7:15 PM Lead on Children with Sexually Acting out Behaviors (.75 CAC)**

In 20-25% of cases handled by Child Advocacy Centers, youth under 18 years old have acted out against another child (National Children's Alliance 2015 statistics). In 2017, Project Harmony found 28% of their intakes in the metro area involved allegations of child on child sexual behavior problems. This presentation will highlight the process to develop and protocols used to address interventions among this population.

**Presenter:** Colleen Brazil

**7:30 PM – Transportation from Project Harmony to Doubletree**

**Thursday, October 18 CLE Hours: (7.75)**

**7:55 AM Welcome Introductions | Announcements – Melanie Young**

**8:00 – 9:30 AM**

**Syllabus for Authentication of Phone and Social Media Evidence (1.5)**

The seminar will address the ethical, constitutional and evidentiary issues related to the admissibility of cell phone and social media evidence in a changing world.

**Presenter:** Richard Collin Mangrum, Yossem Endowed Professor of Law, Creighton University School of Law

**9:30 – 11:30 AM**

**Instant 3D Documentation of Crime and Crash Scenes for Better Investigations and Court Proceedings (2.0)**

3D documentation of crime and crash scenes improves the outcomes of these investigations. 3D technology produces more comprehensive and objective evidentiary measurements. The realistic data sets also lower the cognitive energy investigators and the trier of fact must invest to properly understand the context of photographs and evidence collected from a site they've never visited. Most importantly, 3D data provides the ability to conduct high-level forensic analyses like bullet trajectory reconstruction, positional analysis of vehicles, height analysis of suspects, and blood pattern interpretation. Prior to the introduction of technology pioneered by Leica Geosystems, the application of 3D technology was cumbersome and expensive. With the introduction of the Leica RTC360 laser scanner and Cyclone Register360 software, it is possible to capture 2 million measurements per second and integrate the dense data with multimedia from cameras and video recorders before leaving the scene of the crime. Effective training on this equipment can be conducted in a single day. This presentation will explore the technological advancements making this possible and discuss how the resulting high quality data can be leveraged to improve investigative outcomes and trial proceedings.

**Presenter:** William Henningsen, Acting Manager, Omaha Police Department Forensic Investigations

**11:30 AM – 12:30 PM Lunch On Your Own**

**12:30 – 1:00 PM - NECAA Membership Meeting**

**1:00 – 4:00 PM**

**Shot in the Dark: The Cari Farver Cold Case Homicide (3.0)**

This case study will focus on the practical and technical challenges of prosecuting a bodyless cold case homicide in which the primary evidence consisted largely of digital evidence.

**Presenters:** Brenda D. Beadle, Chief Deputy, Douglas County Attorney; James M. Masteller, Deputy, Douglas County Attorney; Sgt. James T. Doty - Pottawattamie County Sheriff's Office (Iowa); Cpl. Ryan Avis - Pottawattamie County Sheriff's Office (Iowa); Anthony Kava - Pottawattamie County Sheriff's Office (Iowa)

**4:00 – 4:15 PM**

**MOCIC (Midstates Organized Crime Information System) Overview for Prosecuting Attorney's (0.25)**

The presentation will provide an overview of tools available through the Regional Information Sharing Systems (RISS) Program to assist local, state, federal, and tribal criminal justice partners by providing adaptive solutions and services that facilitate information sharing, support criminal investigations, and promote officer safety.

**Presenter:** Barry DeJong, Law Enforcement Coordinator, MOCIC

**4:15 – 5:15 PM**

***State v Swindle*: Prosecuting human trafficking in Nebraska (1.0)**

In 2006, Nebraska created a law against sex trafficking. In 2017, this charge was prosecuted before a jury for the first time. This session will be a case study, presented jointly by the prosecutor and by the AGO who handled the appeal. It will recount the harrowing details of the crime and highlight several important aspects to successful prosecution of this particular crime.

**Presenters:** Glen Th. Parks, Assistant Attorney General, Coordinator of the Nebraska Human Trafficking Task Force and Beth Beninato, Deputy Douglas County Attorney

**Friday, October 19 CLE Hours: 4.0 (2 Ethics)**

**7:55 am Welcome Introductions | Announcements – Jim Smith**

**8:00 – 10:00 AM**

**Let's Talk-Aspects of Jury Selection from a Prosecutor's Perspective (2.0)**

Learn about the importance of making a good first impression. Eliminating the very bad. How to raise specific or difficult case issues. Overview of the dynamics of the process to reach your initial goals.

**Presenter:** Donald W. Kleine, Douglas County Attorney

**10:00 AM – 12:00 PM**

**Attorney Wellness & Procedures and Practices at the Counsel for Discipline (2.0 Ethics)**

Review of complaints from disgruntled defendants, attorneys, judges, or from reading about a case in the paper or the Court of Appeals|Nebraska Supreme Court. Review of differences between Refusals to Investigate (“RTI”) Preliminary Inquiries (“PI’s); and Formal Grievances (“FG’s”). Overview of cases the that will not be handled, including ongoing criminal cases with court-appointed counsel. Discussion of how these cases are initiated and what happens once this happens. On prosecutorial misconduct presenter will present on his feelings about how the system itself “self-corrects” this issue and what his office does once a court has weighed-in on a particular case.

**Presenter:** Mark A. Weber, Nebraska Supreme Court, Counsel for Discipline & The Unauthorized Practice of Law

**12:00 PM Adjourn – Jim Smith**