

FRIDAY JUNE 7

Breakfast 7:30 am

Welcome and Conference Opening

8:30am - Lower Lounge

OPENING PLENARY

9:00am - Lower Lounge

FIGHTING FOR PRIVACY IN AN ONLINE AGE: A SURVIVOR'S LEGAL BATTLE

Jennifer Bennett

Jennifer Coughlin, J.D.

Ms. Bennett was the victim of a brutal sexual assault in 2011 and then had to endure re-victimization in the justice system when, during the prosecution of her offender, her privacy was invaded on numerous fronts—from subpoenas of her Google search history, to demands for her journal, to defense investigators showing up to question her without notice. Fortunately, Ms. Bennett had an attorney, Ms. Coughlin, fighting to protect her rights. In this plenary, Ms. Bennett and Ms. Coughlin will share their story of fighting for privacy in an online age.

BREAKOUT SESSIONS 10:00 am - 11:30 am **HARM AND CAUSATION: TWO KEY HURDLES FOR VICTIMS SEEKING RIGHTS UNDER THE CVRA (Classroom 1)**

Paula Pierce, J.D.

The federal Crime Victims' Rights Act (CVRA) affords "victims" rights. A "victim" is a person "directly and proximately harmed" by the criminal act of another. In white collar and environmental crimes, victims are facing increasing hurdles quantifying harm and proving causation in their attempt to be recognized by courts as persons with rights. Relying on recent case law, this session will focus on injury vs. harm, causation, and strategies that can be used by victims seeking to enforce their rights under the CVRA.

APPLYING CRIME VICTIM LAW TO STRATEGIC ADVANTAGE IN HUMAN TRAFFICKING CASES (Classroom 4)

Marianna Warmee, J.D.

Empowering a victim to cooperate in a human trafficking investigation and prosecution is a key of effective anti-trafficking enforcement. Thus, a sophisticated application of crime victim law is not only important for the welfare of victims, but it is also the most effective strategic approach for law enforcement and prosecutors in these cases. This session will provide an overview of the victim issues arising

in human trafficking cases and offer victim-centric strategies that will generate maximum impact in the case and maximum benefit for the victim. Recent case studies from the FBI, U.S. Attorney's Office, Equal Employment Opportunity Commission, and local law enforcement agencies will be discussed.

FUNDAMENTALS OF VICTIMS' RIGHTS FOR ATTORNEYS (Classroom 7)

Rebecca Khalil, J.D.

This session will be an overview of victims' rights laws, an identification of the most common stages in a criminal proceeding at which victims' rights are at risk of being infringed upon, and an articulation of trial-level litigation strategies for enforcing victims' rights. The presenter will discuss ethical issues and victims' rights motion practice pretrial, at sentencing, and in appellate proceedings. Special focus will be placed on unique hurdles polyvictims face in the criminal justice system.

WHY LANGUAGE MATTERS: STRATEGIES TO SUPPORT LGBTQ SURVIVORS OF VIOLENCE (Classroom 8) (LIVE VIDEO FEED)

Sharon Stapel, J.D.

Over the years, the phrase "violence against women" has become synonymous with "domestic violence, dating violence, sexual assault and stalking." While these crimes disproportionately impact women, using "violence against women" as shorthand language for domestic and sexual violence entirely omits gay, bisexual, and transgender men from the conversation and renders lesbian, bisexual, and transgender women less visible. This session will discuss the impact language has on individuals in the excluded groups and identify strategies, including evidence-based training and technical assistance demonstration projects, for ensuring law, services, and public discourse are inclusive.

LUNCHEON PLENARY

12:00 pm - Lower Lounge

PANEL: THE FRONTIER OF VICTIM RESTITUTION

Antonio R. Sarabia II, J.D.

Amy Liu, J.D.

Restitution is among the longest standing and well-recognized rights in the country, and yet because its contours are evolving at an unprecedented rate, practitioners may be missing opportunities to secure financial recovery for their clients or may be inadvertently narrowing the law. This plenary will highlight recent developments

(LUNCHEON PLENARY, cont.) restitution law and spotlight emerging issues. Among the topics to be covered: who is a “victim” for restitution; types of losses for which restitution may be ordered; restitution hearing processes and best practices; restitution and probation; collection of restitution; obtaining information about a defendant’s assets; availability of civil enforcement procedures; and the relation between restitution and civil liability.

BREAKOUT SESSIONS 1:20 pm - 2:50 pm

THE VICTIM’S RIGHT TO ATTEND THE TRIAL: A WIN – WIN FOR VICTIMS, PROSECUTORS, AND THE SYSTEM (Classroom 1)

Brian McDonough, J.D.

Terry Campos, J.D.

Historically, victims have been excluded from the criminal trial except during their testimony and closing argument. With the adoption of victims’ rights, victims now have an unqualified or qualified right to attend the entirety of the trial, from voir dire through closing arguments. This empowers victims to not only have their day in court, but to observe the criminal trial process, or to choose otherwise. Despite the clarity of the law, victims still face hurdles exercising their right to be present. This session will discuss the scope of the right to be present, common obstacles to enforcement of the right, and strategies for securing the right in a way that is a win – win for victims and for prosecutors. Special focus will be put on what the right to be present means for polyvictims.

EMERGING PERSPECTIVES: LAW STUDENTS’ VISION OF VICTIMS’ RIGHTS (Classroom 4)

Laura Dunn, J.D.,

Alanna Peterson, J.D. expected Spring 2013

Holly Wan, J.D.

Facilitated by Sarah LeClair, J.D.

Victim law has begun to make it into the curricula of law schools across the country. The result is that law students are engaging in critical analysis of rights enforcement and are bringing a fresh perspective to the field. In this session, the presenters, each of whom is a current law student or recent graduate, will present a paper that identifies a new challenge to the victims’ rights field and proposes a response to that challenge.

CHILDREN’S ADVOCACY CENTERS: AN EVIDENCE – BASED VICTIMS’ RIGHTS ORIENTED RESPONSE TO CHILD ABUSE (Classroom 7)

Chris Newlin, M.S., L.P.C.

The Children’s Advocacy Center Model was developed in 1985 in an effort to dramatically improve the effective re-

sponse to child abuse while prioritizing the victims’ experience and honoring their rights. There are now more than 850 Children’s Advocacy Centers throughout the United States, and more than 70 operating internationally. This session will describe the origins of the model as a victims’ rights oriented approach, review existing national standards for Accredited CACs, and review the research which supports the efficacy of the CAC model, including specific data from victims’ perspectives.

VICTIMS’ RIGHTS PRE-CHARGING AND DURING PLEA: DO THEY EXIST AND HOW DO YOU FIGHT FOR THEM? (Classroom 8)

Steve Twist, J.D.

The trajectory of a criminal case can often be set pre-charging because of a process known as charge-bargaining, and most cases resolve through plea bargaining. What does this mean for victims? In most jurisdictions, victims have the rights to confer with the prosecution and to be notified and informed of case progress; enforcing these rights in a meaningful way pre-charging or during plea bargaining can be a challenge. This session will discuss the scope of victims’ rights pre-charging and during the plea process, identify practical tips for ensuring these rights have meaning; and provide litigation strategies for advancing these rights.

BREAKOUT SESSIONS 3:10 pm - 4:40 pm

A NEW MODEL: SPECIAL VICTIM PROSECUTORS - WHAT IT MEANS FOR THE FUTURE OF VICTIMS’ RIGHTS (Classroom 1)

Lisa Teesch-Maguire, J.D.

Keli Luther, J.D.

In the ever-evolving effort to respond to victims’ rights, a new model has emerged in Arizona and Colorado – a dedicated victims’ rights prosecutor. In this session, the two attorneys in these roles will discuss their current practice, compare it to their prior roles as private victims’ rights attorneys, identify how they work with private victims’ rights attorneys now, and provide guidance on whether to advance the model in other jurisdictions.

COLLABORATION IN RESPONSE TO IDENTITY THEFT: TECHNOLOGY, A TOOLKIT, AND MORE (Classroom 4)

Russell Butler, J.D.

This session will detail how nine states worked together to create a grassroots empowerment movement for identity theft crime victims using coalitions, technology, interactive access to justice forms, and more. Attendees will learn how this project prompted the creation of a model

(3:10 PM BREAKOUT, cont.) that states, regions, and organizations can use. Find out what resources were developed and how you will be able to access those resources today and in the future.

POLYVICTIMIZATION AND COMPLEX TRAUMA: WHAT PRACTITIONERS NEED TO KNOW (Classroom 7)

Dr. Jerry Yager, Psy.D.

A “polyvictim” is someone who has experienced multiple victimizations of different types throughout his/her lifetime. Mounting evidence shows that polyvictimization occurs at alarming rates. Fortunately, not all victimizations are traumatizing. However, for those individuals who lack both internal as well as external resources to effectively cope, exposure to victimization can lead to profound biological, psychological, social, and behavioral changes. This session will discuss the research on polyvictimization and complex trauma and identify best practices for working effectively with these populations.

EFFECTIVE HOLISTIC REPRESENTATION OF CRIME VICTIMS: WHAT EVERY ATTORNEY SHOULD KNOW (Classroom 8)

Josh Lamborn, J.D.

Crime victims often have to navigate both civil and criminal justice systems in the aftermath of their victimization. An attorney trained in criminal law, civil law and victims’ rights enforcement can avoid common pitfalls, minimize the risk of re-victimization, and use the process to his or her client’s advantage. This session will discuss best practices in representing victims in both systems; from getting what your client wants out of the criminal prosecution to securing meaningful recovery in the civil action.

4:30pm End of Day One

Crime Victims’ Rights Reception

4:30pm-7:00pm - Lower Lounge

SESSION DESCRIPTIONS SATURDAY JUNE 8

Breakfast 8:15 am

BREAKOUT SESSIONS 9:00 am - 10:30 am

LIFE AFTER SANDUSKY: REFORMING CHILD PROTECTION LEGISLATION (Classroom 1)

Diane Moyer, J.D.

The nation was captivated by the horrors revealed in the Sandusky case this past year—from initial failures to report suspected or witnessed abuse, to failures within systems when reports were made. In the aftermath of the case, significant work has been undertaken to improve protections for victims. This session will examine how to use a high-profile scandal to advance a complex and comprehensive reformation of child protection law and policy.

UNDERSTANDING THE SWORD AND SHIELD OF TECHNOLOGY (Classroom 4)

Valenda Applegarth, J.D.

Technology can be used to stalk, harass, and violate laws meant to protect victims, or it can be used to enhance victim privacy and safety. This session will showcase both aspects of technology, using examples from cases of sexual assault, domestic violence, stalking, forced marriage, and other crimes. In addition, the session will address Internet data gathering and sharing, and what tools

are used to protect privacy in browsing the Internet and gaining anonymity. The session will integrate a live demonstration using stations where participants can use the tools discussed to teach practitioners the “how to” of enhancing victim privacy.

WHEN VICTIMS GET SUED: BEST PRACTICES IN DEFENDING SLAPP SUITS (Classroom 7)

Erin Olson, J.D.

Victims around the country are facing a recurring issue—offenders are using civil torts such as malicious prosecution and defamation to sue (and sometimes recover damages against) their victims. These suits infringe on victims’ rights to access justice, and are best defended using anti-SLAPP laws (“SLAPP” stands for “Strategic Litigation Against Public Participation”). This session will discuss how to investigate, identify, and defend SLAPP suits, and will review some of the reported cases in which anti-SLAPP laws have been successfully applied.

TRAUMA AND VICARIOUS TRAUMA: WHAT PRACTITIONERS NEED TO KNOW (Classroom 8)

Christopher Wilson, Psy.D.

Victim service professionals are at high risk for vicari-

(9:00 AM BREAKOUT cont.) -ous trauma. This session will provide an overview of the research on trauma and vicarious trauma, identify protective factors, and outline steps service providers can take to more effectively cope with the impact of working with traumatized individuals.

BREAKOUT SESSIONS 10:50 am - 12:05 pm

“I CAN’T GIVE YOU LEGAL ADVICE BUT ...”: GUIDELINES FOR PROVIDING ADVOCACY IN A LEGAL SETTING WHILE AVOIDING THE UNAUTHORIZED PRACTICE OF LAW

(Classroom 1)

Heidi Nestel, J.D.

Crime victims often ask non-attorney advocates for information and advice about ongoing criminal cases, and there is a risk that advocates will accidentally give legal advice without intending to do so, or without realizing that they are doing so. Victims are best served when advocates do not give information that they should not, but also when advocates do not hesitate to give advice that is entirely within their expertise. This session will provide rules and guidelines so that non-attorney advocates can best answer particular questions without engaging in the unauthorized practice of law. This session will discuss all relevant ethical rules.

AFTER THE GAVEL FALLS: APPLICATION OF THE FEDERAL CRIME VICTIMS’ RIGHTS ACT IN HABEAS CORPUS PROCEEDINGS

(Classroom 4)

Alice B. Lustre, J.D.

Habeas corpus is an often-overlooked aspect of the criminal appellate process and many attorneys and victims know little about it. Because of the time delay between the state trial and any proceedings on habeas, particularly in capital litigation, victims may become lost in the shuffle. This session will explore the rights of victims of state crimes under the federal Crime Victims’ Rights Act during the course of federal habeas corpus proceedings and identify how they can potentially impact the course of such litigation, and provide some “food for thought” as to how those rights can best be implemented.

ANALYZING THE PSYCHOLOGICAL IMPACT OF THE LEGAL SYSTEM’S RESPONSE TO RAPE SURVIVORS ON THE SURVIVORS

(Classroom 7)

Rebecca Campbell, Ph.D.

Participants will learn about the neurobiology of trauma and its application to victims of sexual assault. Specifically, participants will learn how trauma affects victims’

emotions and behavioral presentations. Special attention will be given to examining how the brain processes and recalls traumatic events.

EXPANDING OUR REACH AND IMPACT: COLLABORATION OPPORTUNITIES FOR CHILD ADVOCACY CENTERS AND VICTIMS’ RIGHTS ATTORNEYS (Classroom 8)

Andrew H. Agatston, J.D.

Chris Newlin, M.S., L.P.C.

Children’s Advocacy Centers and Victims’ Rights Attorneys are both focused on supporting and protecting victims of crime, and it is only logical they work together in a meaningful way. This session will explore opportunities for innovative collaboration between these victim-serving entities, each with many resources and expertise to share with the other. Using case studies, the presenters will provide substantive suggestions for these collaborations to occur.

LUNCHEON PLENARY

12:20 pm - Lower Lounge

PANEL: PROTECTING VICTIMS’ RIGHTS & INTERESTS IN MASS VICTIMIZATION CASES

Michelle S. Cruz, J.D.

Keli Luther, J.D.

In recent years a number of high profile cases have involved mass victimizations. While all eyes are on these cases, there is little in-depth knowledge of what victims’ rights look like in these cases. For instance, what rights do victims have when the perpetrator is dead and no criminal trial will occur? Or when the perpetrator is mentally ill and cannot stand trial? Or when there is a criminal prosecution but the sheer number of victims is more than the system is used to? In this plenary the attorneys who have been involved in mass victimization cases of recent years will tell the story of issues confronted and creative methods to protect victims’ rights.

BREAKOUT SESSIONS 1:45 pm - 3:15 pm

INTERSECTIONS OF IDENTITY THEFT AND VIOLENT CRIME: COLLABORATIVE RESPONSES FOR VICTIMS WHEN ID THEFT IS USED AS A WEAPON TO PERPETRATE SEXUAL ASSAULT, STALKING, AND INTIMATE PARTNER VIOLENCE (Classroom 1)

Bridgette Harwood, J.D.

Nikki Charles, M.A.

Much of the general population still views identity theft as a “white collar” crime. While the effects can be dev -

(1:45 PM BREAKOUT, cont.) astating financially, the full impact of victimization regarding identity theft and fraud is often misunderstood. Often, perpetrators of intimate partner violence, sexual assault and stalking will also commit identity theft and fraud during the violent criminal act. Providers have historically focused on offering recovery through addressing the trauma aspect of the violent crime, but have often disregarded the survivor's needs regarding compromised personal information. This session will address how responding to identity theft with a collaborative response becomes equally as important as mitigating the effects of the trauma from the violent crime. This session will use lecture, facilitated group discussion, and small groups.

A COMPLEX AND COMPASSIONATE RESPONSE: THE ROLE OF VICTIM/WITNESS ASSISTANCE CENTERS IN RESPONDING TO VIOLENCE AGAINST WOMEN IN CALIFORNIA
(Classroom 4)

Heather Warnken, J.D., LL.M.

A 2012 study offered the first statewide look at California's 59 Victim/Witness Assistance Centers tasked with providing services to crime victims—the first comprehensive study of its kind. Notwithstanding California's robust set of constitutional protections for victims, among other findings, the report identifies significant disparities in service provision and a lack of adequate financial support to consistently deliver minimal rights and services mandated by law. This session will discuss the report methodology and findings, including promising opportunities for prevention, and engage in a conversation about how these findings can inform victims' services policy and practice at local, state and national levels.

YEAR IN REVIEW AND PREVIEW
(Classroom 7)

Meg Garvin, M.A., J.D.

Focusing on domestic cases, this session will provide an overview and analysis of the key state and federal victims' rights cases decided over the past 12 months. The presenter will identify emerging trends in the cases that attorneys and advocates need to be aware of in order to be the best advocates they can be for victims.

RAPE SHIELD: HOLES IN THE ARMOR?
(Classroom 8)

Alison Wilkinson, J.D.

Most rape shield laws were passed more than three decades ago and were initially hailed as highly protective of the privacy and other interests of victims. In recent

years, it is unclear whether the armor has gotten stronger or whether holes are eroding its integrity. This session will discuss case law from recent years, dissecting the language used by practitioners and courts, and posing challenging questions about where we go from here.

CLOSING PLENARY

3:35 pm - Lower Lounge

NEW HORIZONS: MINI-SESSIONS ON WHERE THE FUTURE OF VICTIMS' RIGHTS LIES

AN OVERVIEW OF THE AIR FORCE'S NEW SPECIAL VICTIMS' COUNSEL PROGRAM FOR SEXUAL ASSAULT VICTIMS

General Richard Harding

THE GAPS IN THE FEDERAL CRIME VICTIMS' RIGHTS ACT AND WHERE WE NEED TO GO IN THE FUTURE

Doug Beloof, J.D.

4:30pm - End of Conference

Crime Victim Law Conference Faculty Biographies

Faculty Biographies

PLENARY FACULTY

Jennifer Bennett

Doug Beloof, J.D., Professor of Law, Lewis & Clark Law School, Founder and Member of the Board of Directors, National Crime Victim Law Institute

Professor Beloof began his law career clerking for Justice Thomas H. Tongue of the Oregon Supreme Court. He has been a prosecutor and a criminal defense attorney, as well as practicing tort law as a plaintiff's and defense attorney. As director of the Multnomah County Victims' Assistance Program, he worked on establishing procedures to assist victims of crime, including a domestic violence program and multidisciplinary teams to deal with child abuse. He lectures nationally on victim law. Beloof has published the case book, *Victims in Criminal Procedure*, which won a national award for writing in victimology and the law. He has published numerous articles about civil liberties for crime victims. Beloof has received awards from The United States Attorney General, Mothers Against Drunk Driving, and the National Organization of Victims Assistance. He has testified in front of Congressional judiciary committees and has been cited by the Senate Judiciary Committee as a leading expert on victim law. Beloof is the Secretary of the National Crime Victim Law Institute Board of Directors.

Jennifer Coughlin, J.D., Brothers, Hawn & Coughlin, LLP

Michelle S. Cruz, J.D., Former State Victim Advocate, Connecticut Office of the Victim Advocate

Attorney Michelle Cruz has over twenty years of experience working with crime victims in a myriad of diverse roles. In November of 2007, Governor M. Jodi Rell appointed her as Connecticut's second State Victim Advocate to head the Office of the Victim Advocate, an independent crime victims' rights agency. Attorney Cruz diligently fought against the early release program in CT that led to the release of 7,589 violent offenders, including Frankie Resto who murdered Ibrahim Ghazal only few months after being released early. She has argued numerous motions on behalf of CT crime victims, including a successful argument that allowed Dr. William Petit, the surviving family member of the Cheshire CT triple homicide, to attend the entire capital felony murder trial. She was also successful in advocating for the creation of a State Missing Persons Unit within the CT Department of Emergency Services and Public Protection. Michelle has an Associate's Degree in Administration of Justice from Napa Valley College in California, a Bachelor's Degree in Philosophy from Mount Holyoke College in Massachusetts, and a Law Degree from the University of Connecticut School of Law, where she was a Notes and Comments Editor on the Public Interest Law Journal. After law school, she served as an Assistant District Attorney in Massachusetts and was assigned to both District and Superior Courts. She specialized in the prosecution of offenders charged with child abuse, sexual assault, and domestic violence and handled these complex cases from investigation through grand jury indictment and trial. While in Superior Court, she successfully convicted a sex offender for indecent assault and battery for a kiss of a minor child through introducing evidence of the offender's grooming of the victim to establish his ill intent. Attorney Cruz has published several articles and has made numerous appearances on both radio and television. Michelle is a Lecturer at Law at the University of Connecticut School of Law and serves as an Adjunct

Instructor at Bay Path College and Capital Community College. After leaving the OVA, Attorney Cruz opened a private law practice in CT serving clients in MA and CT.

General Richard Harding, Lieutenant General, United States Air Force

Lt. Gen. Richard C. Harding is The Judge Advocate General (TJAG), Headquarters U.S. Air Force, Washington, D.C. In that capacity, General Harding serves as the Legal Adviser to the Secretary of the Air Force and all officers and agencies of the Department of the Air Force. He directs all judge advocates in the performance of their duties and is responsible for the professional oversight of more than 2,200 judge advocates, 350 civilian attorneys, 1,400 enlisted paralegals and 500 civilians in the Total Force Judge Advocate General's Corps worldwide. General Harding oversees military justice, operational and international law, and civil law functions at every level of command. General Harding, the son of an Air Force officer and grandson of a Naval officer, entered the Air Force with a direct commission in 1980. Since that time, he has served in a variety of assignments as a judge advocate, to include serving six assignments as a staff judge advocate at the unified command, major command, numbered air force and wing levels. Prior to assuming his current position, he served as the Commander, Air Force Legal Operations Agency, Bolling Air Force Base, D.C.

Meg Garvin, M.A., J.D., Clinical Professor of Law, Lewis & Clark Law School, Executive Director of the National Crime Victim Law Institute

Ms. Garvin is recognized as a leading expert on victims' rights. She has testified before Congress and the Oregon Legislature on the current state of victim law. She serves on the Legislative & Public Policy Committee of the Oregon Attorney General's Sexual Assault Task Force, co-chairs the Oregon Attorney General's Crime Victims' Rights Task Force, and is a Board member of the Citizens' Crime Commission. She previously served as co-chair of the American Bar Association's Criminal Justice Section Victims Committee and as a member of the board of directors for the National Organization of Victim Assistance. She is the recipient of the 2012 Crime Victims First-Stewart Family Outstanding Community Service Award. Prior to joining NCVLI, Ms. Garvin practiced law in Minneapolis, Minnesota, and clerked for the Eighth Circuit Court of Appeals.

Amy Liu, J.D., National Crime Victim Law Institute

At NCVLI, Ms. Liu has provided legal technical assistance to attorneys and victim advocates on a wide range of crime victims' rights issues; drafted trial and appellate amicus briefs; presented on victims' rights issues at local and national conferences; and conducted practical skills trainings for attorneys across the country. Before joining NCVLI, Ms. Liu worked in student services at the University of Iowa College of Law and also practiced law as a litigation associate in the Los Angeles offices of Skadden, Arps, Slate, Meagher & Flom LLP and Morgan, Lewis & Bockius LLP. Ms. Liu clerked for the Honorable Audrey B. Collins and the Honorable Robert J. Kelleher of the United States District Court, Central District of California.

Keli Luther, J.D., Deputy County Attorney, Maricopa County Attorney's Office

Ms. Luther, a deputy Maricopa County attorney, handles crime victim trial and appellate issues and serves as a member of the Arizona Supreme Court's Commission on Victims in the Courts (COVIC). COVIC reviews and submits policy recommendations and procedures to improve victim access and ensure fair treatment. She has served as senior counsel for Arizona Voice for Crime Victims and as executive director and lead counsel for the Crime Victims Legal Assistance Project. She has advocated for crime victims at both the trial and appellate levels in state and federal courts.

Antonio R. Sarabia II, J.D., IP Business Law Inc.

Mr. Sarabia II is an authority on victim restitution. He represents individuals who have been harmed by crime, as well as corporate victims of crime. He recently obtained a restitution order of more than \$150,000 for an individual who was a victim of grand theft. For a corporate victim of criminal trademark counterfeiting, he obtained a restitution order of over \$500,000. He has worked closely with victims of abuse by medical professionals, with an emphasis on recovering not just past medical expenses, but also the substantial costs of future therapy. Mr. Sarabia has written extensively on victim restitution and victims' rights. For more than eight years he was a member of the Community Advisory Board of the Restitution Center, created by the California Penal Code as a sentencing alternative. He is a graduate of the University of Chicago Law School and Occidental College. He practices in Southern California.

BREAKOUT SESSION FACULTY

Andrew H. Agatston, J.D., Andrew H. Agatston, P.C.

Mr. Agatston is an attorney in private practice, representing crime victims in civil cases, including child sexual abuse cases. Since 1998, he has also represented Children's Advocacy Centers (CAC), and currently represents five CACs in Georgia. Mr. Agatston is the author of three books for CACs, and since 2008 has operated a listserv for CAC professionals and their multidisciplinary team members that reaches more than 750 subscribers in 48 states and two Indian territories. Mr. Agatston also regularly conducts workshops and other trainings for CAC professionals and their multidisciplinary team members regarding legal matters that impact their important work on behalf of suspected victims of child abuse, neglect, and exploitation.

Valenda Applegarth, J.D., Senior Attorney, Greater Boston Legal Services

Ms. Applegarth is a Senior Attorney at Greater Boston legal Services with over 20 years of experience in representing victims of domestic and sexual violence and is a nationally recognized expert in victim relocation and privacy protection. She created and staffs the nation's first Relocation Counseling Project for victims of domestic violence, sexual assault, and stalking, which launched in Massachusetts and was a recipient of the 2006 Mary Byron Foundation Celebrating Solutions Award. In addition to the Massachusetts project, Ms. Applegarth partners with the National Network to End Domestic Violence to provide technical assistance and training nationwide in an OVW funded project, *The Relocation, Counseling, and Identity Protection Initiative*.

Russell Butler, J.D., Executive Director, Maryland Crime Victims' Resource Center, Inc.

Russell P. Butler is an Attorney who serves as Executive Director of the Maryland Crime Victims' Resource Center, Inc. (MCVRC). MCVRC is a victim services and legal services provider that provides assistance to victims of all types of crime. Through Russell's leadership, MCVRC has incorporated technology improvements from the legal services field, including on-line intakes for clients. Through the National Identity Theft Victim Assistance Network (NITVAN), Russell has coordinated the creation and distribution on-line documents for identity theft victims. Russell serves as an Adjunct Professor at the University of Baltimore Law School teaching "The Rights of Crime Victims" starting in 2005, and he served in 2007 as an Adjunct Professor at the University of Baltimore, teaching a graduate course in criminal justice regarding victims of crime. From 1985 to 2002, Russell served as lobbyist for the Stephanie Roper Committee, Inc., and also as legal counsel for the Stephanie Roper Foundation, Inc. Russell has also served as lobbyist for MADD from 1999 to 2003. Russell has served on a number of Maryland criminal justice advisory committees, including the State Commission on Criminal Sentencing Policy and the Article 27 Revision Committee. Russell served as the 2004-2005 Chair of the Maryland State Bar Association's Section on Criminal Law and Practice, he served as Co-Chair of the ABA Criminal

Justice Section's Victim Committee from 2006-2010, and he is currently Chair of the Victim Advisory Group in the United States Sentencing Commission. Russell is a graduate of the University of Maryland in College Park and the University of Baltimore Law School.

Rebecca Campbell, Ph.D., Michigan State University

Dr. Campbell is a Professor of Psychology at Michigan State University. She holds a Ph.D. in community psychology with a concentration in statistics, also from Michigan State University. For the past 20 years, she has been conducting victimology research and evaluation, with an emphasis on violence against women and children. Her work examines how the legal, medical, and mental health systems and rape crisis centers respond to the needs of adult, adolescent, and pediatric victims of sexual assault. Her current work, funded by the National Institute of Justice, focuses on Sexual Assault Nurse Examiner programs and the criminal justice system. She has published over 80 scientific papers and 2 books on these topics, and has conducted over 175 presentations at state, national, and international conferences.

Terry Campos, J.D., National Crime Victim Law Institute

At NCVLI, Ms. Campos has provided legal technical assistance to attorneys and advocates nationwide, presented on victims' rights nationally, and drafted amicus curiae briefs. Prior to joining NCVLI, Ms. Campos was an appellate attorney with the Office of the State Appellate Defender in Chicago, Illinois. During her time at OSAD, Ms. Campos represented indigent persons on appeal in criminal cases. Ms. Campos interned for the Metropolitan Public Defender in Portland, Oregon.

Nikki Charles, M.A., Co-Executive Director, Therapeutic and Victim Advocacy, Network for Victim Recovery of D.C.

Ms. Charles is the Director of Therapeutic and Advocacy Services at Network for Victim Recovery of DC (NVRDC). In this capacity, she oversees counseling and case management for victims of all crime types, including a 24 hour on call sexual assault crisis response team. She is a master's level trained grief counselor, a victim compensation specialist, and a former member of the Maryland Anti-Human Trafficking Task Force. She is also a full time faculty member at American Public University System.

Bridgette Harwood, J.D., Co-Executive Director, Criminal Legal Services

Before coming to Network for Victim Recovery of DC, Ms. Harwood served as a subject matter expert on the U.S. Department of Justice, Office for Victims of Crime's National Identity Theft Victims Assistance Network, developing training materials and curriculum that she presented to coalitions throughout the country. As a certified police instructor, Bridgette volunteers as a trainer for specialized victimization topics such as Trauma and Victims' Rights at entry-level academies and in-service trainings, Sexual Assault and Domestic Violence Awareness, Elder Abuse and Financial Exploitation, and Elder Abuse Investigation Practices for Law Enforcement Officers.

Rebecca S.T. Khalil, J.D., National Crime Victim Law Institute

Ms. Khalil is a staff attorney at NCVLI and served as NCVLI's Safeguarding Child-Victims' Rights Initiative Director. At NCVLI, Ms. Khalil researches victims' rights laws and policies across the United States, drafts amicus briefs, provides technical legal assistance to attorneys and advocates nationwide, and creates and presents online and in-person trainings and webinars on a variety of victims' rights topics. Before joining NCVLI, Ms. Khalil was a litigation associate with Baker & Hostetler LLP in New York City, where she worked on a number of complex commercial and business litigations, including trade secret, securities, and contract cases, as well as white collar criminal defense, governmental and quasi-governmental matters, and corporate investigations.

Josh Lamborn, J.D., The Law Office of Josh Lamborn P.C

Josh Lamborn graduated from Lewis & Clark Law School and signed on as a Multnomah County Prosecutor in 1997. In 12 years as a Deputy District Attorney, he amassed well over 100 jury trials, prosecuting crimes ranging from Rape to Robbery to Aggravated Murder. From 2007 to 2009, Mr. Lamborn was also an instructor at the Department of Public Safety Standards and Training, where he trained Oregon police cadets in constitutional law, felony person crimes, domestic violence, and juvenile law. As a prosecutor, Mr. Lamborn worked extensively with victims of violent crime, including kidnapping, assault, vehicular assault, sexual abuse, and domestic violence. In his private practice, Mr. Lamborn continues to advocate for crime victims and victims injured by negligent acts. He brings to the civil arena an understanding of survivors of trauma, excellent interpersonal and communication skills, and extensive trial experience.

Sarah LeClair, J.D., National Crime Victim Law Institute

As an attorney at NCVLI, Ms. LeClair participates in the continued development and implementation of NCVLI's national litigation and education strategies, including providing legal technical support to attorneys and advocates and writing amicus briefs on a wide variety of victim-law related topics. Ms. LeClair also leads NCVLI's legal publications project. Before joining NCVLI, Ms. LeClair served as judicial clerk for the Honorable Rick Haselton of the Court of Appeals of the State of Oregon, after which she practiced law as a litigation associate at Miller Nash LLP in Portland, Oregon.

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Ms. Lustre is a 1984 graduate of Vanderbilt Law School. She has worked in a variety of positions, including staff attorney with Legal Services in Tennessee, as a Navy Judge Advocate, Assistant General Counsel for the Tennessee Department of Children's Services, and Assistant Attorney General for the State of Tennessee. She currently serves as a Deputy Attorney General for California, handling capital cases. In 2010, Ms. Lustre obtained her LLM in prosecutorial science from Chapman Law School. In support of that degree, she wrote an article on the applicability of the federal Crime Victims' Rights Act to habeas corpus cases. This article was published in the California Bar's Criminal Law Journal, Winter 2012 edition.

Brian McDonough, J.D., Assistant Prosecuting Attorney, Cuyahoga County Prosecutor's Office in Ohio

Brian McDonough has been fighting crime as an Assistant Cuyahoga County Prosecutor in Cleveland, Ohio, for over 11 years. He is currently assigned to the Major Trial Unit, which is a dedicated, elite group of trial attorneys who prosecute the most heinous crimes, including homicide, death penalty, sexual assault, sexual and physical abuse against children, crimes against the elderly, and child abuse imagery. For the Ohio Sexual Assault Kit Testing Initiative, Brian works with Cold Case Unit Investigators to investigate and prosecute cold case sexual assaults. Brian is an instructor for the Ohio Attorney General's Sexual Assault Response Training Team, a multi-disciplinary team teaching advocates, sexual assault nurse examiners, law enforcement officers, and prosecutors across Ohio. He is certified as a Special Subjects Instructor by the Ohio Peace Officer Training Commission. He has been named Prosecutor of the Year by Mothers Against Drunk Driving of Northeastern Ohio for the past three years. Brian was elected and currently serves as Council Chair of the Cuyahoga County Sexual Assault Response Team.

Diane Moyer, J.D., Legal Director of the Pennsylvania Coalition Against Rape, and Member of the Board of Directors, National Crime Victim Law Institute

Diane Moyer is Legal Director for the Pennsylvania Coalition Against Rape (PCAR), founded in 1975; the Coalition has a network of 51 rape crisis programs that provide services to every county in the

Commonwealth. Since 1996, Ms. Moyer has been working to advance PCAR's mission to advocate for the rights and needs of victims of sexual assault. Ms. Moyer has appeared in numerous media outlets, from New York talk shows to local PBS stations, and from the Washington Post to the Weekly Reader. Ms. Moyer has won the Victim Advocacy Award from the National Crime Victim Law Institute and the Leadership Award from the Victim Rights Law Center. Through her work on the National Task Force to End Sexual and Domestic Violence, Ms. Moyer has worked tirelessly to ensure that federal legislation addresses civil legal needs of victims of sexual assault as well as to ensure parity in funding for service providers in rape crisis programs. At the state level, Ms. Moyer has worked to increase penalties for drug induced rape, to extend the civil statute of limitations for child victims of sexual abuse, to create a standardized rape kit for the Commonwealth, and to create a statewide plan for the community supervision and management of sex offenders. As a faculty member of Aequitas, a national prosecutor training institute, Ms. Moyer helped to develop the curricula and continues to train prosecutors nationwide on the prosecution of non-stranger rape. Ms. Moyer is a graduate of Dickinson College and the New England School of Law.

Chris Newlin, M.S., L.P.C., Executive Director, National Children's Advocacy Center

As the Executive Director of the National Children's Advocacy Center (NCAC), Chris is responsible for providing leadership and management of the NCAC and participating in national and international training and leadership activities regarding the protection of children. The NCAC was the first Child Advocacy Center in the world; continues to provide prevention and intervention services for child abuse in Huntsville/Madison County, AL; and also houses the NCAC National Training Center, the Southern Regional Children's Advocacy Center, and the Child Abuse Library Online. He is currently the Co-Chair of the United States-Russian Civil Society Partnership Program Child Protection Workgroup and serves on the National Children's Alliance Board of Directors, the Interdisciplinary Review Team for the National Center on the Sexual Behavior of Youth, the Boys and Girls Club of America National Child & Club Safety Task Force, and the Alabama Network of Children's Advocacy Centers Board of Directors. Chris is a member of the International Society for the Prevention of Child Abuse and the Association for the Treatment of Sexual Abusers, and he was the 2010 recipient of the Hendrix College Odyssey Medal for Service to the World. Chris graduated from Hendrix College, the University of Central Arkansas, and the Harvard Business School Executive Education Program.

Heidi Nestel, J.D., Executive Director, Utah Crime Victims Legal Clinic

As Executive Director and Staff Attorney for the Utah Crime Victims Legal Clinic, Ms. Nestel provides free legal representation to victims in criminal cases. Previously, she served as a prosecutor for the Davis County Attorney's Office, as well as the Victim Service Director for that Office. Ms. Nestel received an Honors B.A., summa cum laude, in 1991, from the University of Utah. In 1991, she received a Harry S. Truman Scholarship based on her dedication to working with juveniles and minor victims in the public sector. Ms. Nestel pursued an M.A. and received her J.D. from the University of Utah. During and after law school, she worked for the Office of the Guardian ad Litem, representing abused and neglected children in court.

Erin Olson, J.D., The Law Office of Erin Olson, P.C.

Ms. Olson specializes in the representation of victims of child sexual abuse and elder abuse in both civil and criminal courts. She has litigated dozens of child and elder abuse cases against individuals, religious and secular organizations, and governmental entities in state and federal trial and appellate courts, and she often represents victims and witnesses in criminal cases when their constitutional or statutory rights are not being honored. Erin spent the first ten years of her legal career as a prosecutor, working for the Multnomah County District Attorney's Office, the United States Attorney's Office for the District of

Oregon, and the Massachusetts Attorney General's Office. Erin was raised in Madras, Oregon, and has a B.A. from Stanford University, an M.S. in Criminal Justice from Northeastern University, and a J.D. from the University of Connecticut. She is a co-founder and board member of the Oregon Crime Victims Law Center and the President of the National Crime Victim Bar Association.

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Paula Pierce is a Managing Attorney at the Texas Legal Services Center, where she is the Manager of Hotline Programs, including VICARS, a program that provides free legal advocacy for crime victims. Ms. Pierce is an honors graduate of Trinity University and a summa cum laude graduate of the South Texas College of Law. She served as briefing attorney to Justice James P. Wallace of the Texas Supreme Court.

Sharon Stapel, J.D., Executive Director of the New York City Anti-Violence Project

Ms. Stapel is the Executive Director of the New York City Anti-Violence Project (AVP), which is the country's largest organization dedicated to ending hate, sexual, and intimate partner violence affecting lesbian, gay, bisexual, transgender, queer (LGBTQ) and HIV-affected communities. In 2011 Sharon was named a White House Champion of Change for her LGBTQ intimate partner violence work. AVP coordinates the National Coalition of Anti-Violence Programs (NCAVP), a national coalition of 40+ LGBTQ-specific anti-violence programs. NCAVP is the OVW National LGBTQ Training and Technical Assistance Center (<http://avp.org/resources/training-center>). Sharon sits on the LGBT Advisory Committee to the NYPD and the NYC Family Court Advisory Council to the Administrative Judge Committee for LGBT Matters. She is the LGBTQ Subject Matter Expert for OVC. Prior to joining AVP, Sharon directed domestic violence legal programs at South Brooklyn Legal Services and the Legal Aid Society and created Legal Aid's first dedicated domestic violence project.

Lisa Teesch-Maguire, J.D., Victims' Rights Advocate, Office of the District Attorney, 18th Judicial District

Ms. Teesch-Maguire is a Deputy District Attorney in Colorado's 18th Judicial District Attorney's Office and specializes in victims' rights legal enforcement for prosecutors. She was formerly the Legal Director for the Rocky Mountain Victim Law Center in Denver, which provides pro-bono victims' rights legal representation for victims of violent crime. Ms. Teesch-Maguire also served as the Criminal Division Chief of the Attorney General's Office in the U.S. Territory of American Samoa in the South Pacific. She has also worked for Colorado's 20th Judicial District Attorney's Office and Colorado's 5th Judicial District Attorney's office while assisting on the Kobe Bryant prosecution. She also spent three years working in the Colorado Legislature. Ms. Teesch-Maguire received both her Juris Doctorate and Masters in Business Administration Degrees from the University of Colorado. She has studied international law in Sweden and international affairs in the Netherlands.

Steve Twist, J.D., Vice President and General Counsel, Services Group of America, Inc.

Mr. Twist serves as Vice President and General Counsel for the Services Group of America. He volunteers as General Counsel for the National Victims Constitutional Amendment Project, and is founder and current President of Arizona Voice for Crime Victims. Mr. Twist teaches victims' rights law at the Arizona State University College of Law and he is the founder of a crime victims' legal clinic at the law school that provides free legal representation to crime victims seeking to protect their legal rights. Mr. Twist has worked in the field of victims' rights since 1975. He is the former Chief Assistant Attorney General of the State of Arizona. He is the principal author of the Arizona constitutional amendment for victims' rights and the Arizona Victims' Rights Implementation Act. In addition, he is a principal author of the federal Crime Victims' Rights Act, 18 U.S.C. § 3771. He has worked across the country helping state legislatures and local groups consider and pass victims' rights amendments and implementing statutes. Mr. Twist has testified extensively in Congress on the need for a federal Crime

Victims' Rights Amendment. He has extensive experience litigating the enforcement of victims' rights. With his colleagues Professors Doug Beloof and Paul Cassell, he is co-author of the second edition, *Victims in Criminal Procedure*, published by Carolina Academic Press. He is a 2003 recipient of the President's National Crime Victims' Service Award. Mr. Twist has a B.A. degree and a J.D. degree from Arizona State University.

Marianna Warmee, J.D., Federal Administrative Judge, Equal Employment Opportunity Commission, San Francisco District Office

Marianna is a Federal Administrative Judge who has presided over hundreds of civil rights cases. In 2000, she became the youngest Administrative Judge in the United States. Her agency investigates and pursues civil law enforcement actions against large-scale human trafficking networks. Marianna has extensive experience working in many different areas of anti-trafficking, including direct victim services; working with non-profit service providers, local law enforcement, and federal agencies; and serving on several interdisciplinary anti-trafficking task forces. In 2009, she helped found Freedom House, the first shelter for victims of human trafficking in Northern California, and serves on its Board of Advisors. Since 2010, Marianna has been an instructor at the California POST Institute of Criminal Investigations, where specially-trained criminal investigators and subject-matter experts provide advanced investigative training to vice squad departments throughout California. Marianna has provided comprehensive anti-trafficking training to over 45 different police departments statewide.

Heather Warnken, J.D., LL.M., Legal Policy Associate at the Warren Institute on Law & Social Policy, The University of California, Berkeley School of Law

In 2012, Ms. Warnken authored *A Complex and Compassionate Response: The Role of Victim/Witness Assistance Centers in Responding to Violence Against Women in California*, offering the first-ever comprehensive look at California's 59 Victim/Witness Assistance Centers, and *Real Justice: Victims' Rights Delivered*, the Report & Recommendations emerging from the statewide crime victims rights and services summit. Heather currently works with Californians for Safety and Justice (www.safeandjust.org), conducting research on the diversity of crime victims and their unmet needs, and leads the Warren Institute's role in developing a credentialing program and updated training curricula for California victim/witness advocates and program coordinators. Heather earned a B.A., with honors, John Hopkins University; J.D., cum laude, with pro bono distinction, Suffolk University Law School, and Masters of Law, Berkeley Law, where she received the Jim Fahey Safe Homes for Women Fellowship (presented annually to a UC Berkeley graduate student with a deep commitment to ending violence against women). Heather served as Law Clerk to the Honorable Joseph F. Murphy, Jr., Court of Appeals of Maryland, and has provided direct legal services in domestic violence, family law, and child welfare related matters.

Alison Wilkinson, J.D., National Crime Victim Law Institute

Ms. Wilkinson is the Director of NCVLI's Responding to Violence Against Women Initiative. Ms. Wilkinson has worked on a broad range of technical assistance requests at NCVLI, including drafting amicus briefs and performing research and drafting legal memoranda on issues relating to sexual assault, domestic violence, and privacy, among other topics. She has presented at both local and national conferences on victims' rights. She has also been appointed by the Oregon Attorney General to Oregon's Sexual Assault Task Force. Prior to joining NCVLI, Ms. Wilkinson worked as a litigation associate at Orrick, Herrington & Sutcliffe in New York City. Alison has a B.A. in English from the University of Michigan and a J.D. from the University of Virginia School of Law.

Christopher Wilson, Psy.D.

Dr. Wilson is a licensed psychologist with a private practice in Portland, Oregon. For the last thirteen

years, he has worked in the field of domestic violence. For ten years, he led groups for abusive men and worked with female survivors of domestic violence both individually and in groups. He currently provides domestic violence evaluations in civil cases for both attorneys and the Department of Human Services. As part of his practice, he has provided trainings for both community members and professionals on several topics in the field of domestic violence, including Dynamics of Abusive Men, Sustainable Advocacy, Neurobiology of Trauma, Using Group Process with Abusive Men, and Facilitation Skills for Working with Abusive Men. Dr. Wilson has provided training for both local and national organizations, including Office for Victims of Crime, the Southern Poverty Law Center, End Violence Against Women International, National Crime Victim Law Institute, Oregon Attorney General's Sexual Assault Task Force, and Portland Women's Crisis Line.

Jerry Yager, Psy.D., Director of Training, Denver Children's Advocacy Center

Dr. Yager has more than 30 years of experience in the assessment and treatment of neglected, abused, and traumatized children. He joined the Denver Children's Advocacy Center in 2011 to pursue his passion of educating professionals who work with children about the impact of abuse and neglect on the developing brain. As director of training, Dr. Yager leads DCAC's far-reaching initiative to provide training and consultation to the professionals who work with traumatized children in many different capacities—therapists, social workers, educators, foster/adoptive parents, law enforcement officers, investigators, and victim advocates—to help them understand the often difficult behaviors of child abuse victims and learn to provide appropriate and effective interventions that ameliorate rather than exacerbate the trauma. Dr. Yager and his training team conduct workshops and provide individual and organizational consultation throughout Colorado and nationally. He is a ChildTrauma fellow with the ChildTrauma Academy. Before joining DCAC, Dr. Yager was the Executive Director of the Denver Children's Home for nine years. He has served as president of the Colorado Association of Families and Children's Agencies (CAFCA), was a member of the Governors Child Care Licensing Advisory Committee and Colorado's Child and Adolescent Mental Health Systems Redesign Committee, and also served on the Kempe Children's Center Perpetration Prevention Study Group.

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