



WELCOME

Prosecutors' Center for Excellence Pop-Up
Empowering Ethical Prosecution

December 8, 2021



PCE



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Agenda

Empowering Ethical Prosecution

December 8, 2021

2:00 pm – 3:00 pm (Eastern Standard Time)

***Brady* Today: How to Enhance Your Office Culture**

- ◆ Chief Assistant District Attorney Timothy Koller (Richmond County District Attorney's Office, New York)

Creating an Ethics Process and the Role of the Ethics Officer

- ◆ Professional Responsibility Advisor Cynthia Nakao (Los Angeles County District Attorney's Office, California)

3:00 pm – 4:00 pm (Eastern Standard Time)

Conversation in break-out groups facilitated by the presenters.



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Speaker & Facilitator Bios



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Brady Today: How to Enhance Your Office Culture

Timothy Koller (Richmond County District Attorney's Office, New York)
Chief Assistant District Attorney

Tim Koller is the Chief Assistant District Attorney in the Richmond County District Attorney's Office (Staten Island, New York). He has held many supervisory positions in the office including Chief of the Career Criminal Unit, Chief of the Investigations Bureau, Chief of the Supreme Court Bureau, and Executive Assistant District Attorney. During his over 41 years as a prosecutor, Koller has served under four District Attorneys and one Acting District Attorney. He also serves as the co-chair of the Ethics Guidance Committee of the District Attorneys Association of the State of New York (DAASNY).

Koller is a member of the Richmond County Bar Association; the Irish American Bar Association of New York; the New York State Bar Association, where he serves as a member of the Criminal Justice Section's Executive Committee, as well as its Awards Sub-Committee; the National District Attorneys' Association, and DAASNY, where he serves as a member of the Best Practices Committee. As an original member of the DAASNY Best Practices Committee, Koller was part of a group that formulated Identification Protocols for New York State's law enforcement community.

Since 2003, Koller has taught Criminal Law at the undergraduate level, and Constitutional Law on the graduate level, at St. John's University, and remains there as an Adjunct Assistant Professor. He has served as a guest lecturer at Pace University's Prosecution Clinic, as well as at numerous continuing legal education programs at the NYPD Police Academy; the New York State Division of Criminal Justice Services Basic Prosecutors Course; the New York Prosecutors Training Institute's Summer College; DAASNY's Summer and Winter Conferences; the New York State Attorney General's Office; the NYC Department of Investigation; the Erie County District Attorney's Office; the Monroe County District Attorney's Office; the Oregon Bar Association Criminal Justice Section, and Safe Horizon's Survivors of Homicide Training.

Koller has also served as a panelist at programs sponsored by a variety of organizations, including the Association of the Bar of the City of New York; the Brennan Center for Justice at NYU Law School; St. John's University Law School, and the Prosecution Center for Excellence.

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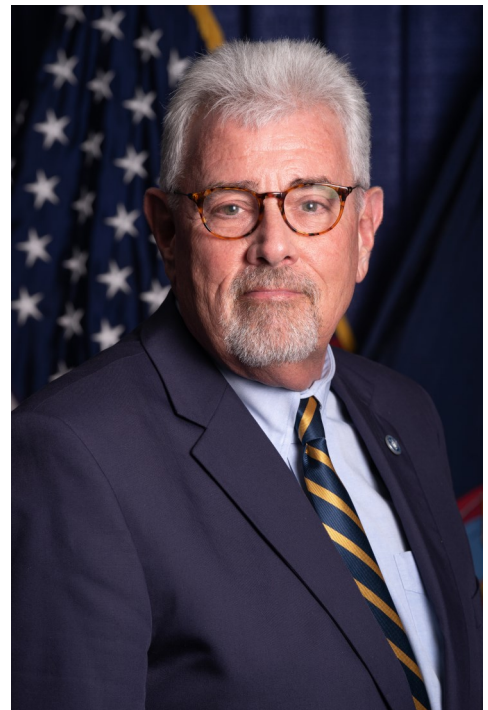
Brady Today: How to Enhance Your Office Culture

Timothy Koller (Richmond County District Attorney's Office, New York)
Chief Assistant District Attorney

(Bio continued)

During his career, Koller has received many awards including from: the Association of the Bar of the City of New York's Thomas E. Dewey Medal for outstanding contributions to the District Attorney's Office, Families of Homicide Victims Program for his work with crime victims and their families; the National Alliance on Mental Illness for his role in the establishment of a Mental Health Court on Staten Island; Irish Echo's Irish Law & Order 50 a recognition given to distinguished Irish American leaders in law enforcement; DAASNY's Robert M. Morgenthau Award for his professional accomplishments in the area of criminal prosecution; NYPTI's Prosecutor of the Year Award for Executive Leadership; and St. John's University's Adjunct Professor of the Year in the College of Professional Studies.

He earned a bachelor's degree in political science and business from St. John's University in 1977. He went on to earn his J.D. in 1980 from Pace University School of Law.



Creating an Ethics Process and the Role of the Ethics Officer

Cynthia Nakao (Los Angeles County District Attorney's Office, California)
Professional Responsibility Advisor

Cynthia Nakao joined the Los Angeles County District Attorney's Office in 1988, and has served in a variety of assignments and leadership positions. She served as the founding Deputy-in-Charge of the E-SCARS (Electronic Suspected Child Abuse Report System) Unit where she managed the multidisciplinary database of mandated child abuse reports. Other pertinent assignments include the Health Care Fraud Division, Training Division (where she trained eight New Hire classes), Asset Forfeiture Section, White Collar Crime Division, Victim Impact Program, Hardcore Gang Division (where she served as the first designated Asian Gangs Prosecutor), Juvenile Division, Central Trials, and Branch & Area Operations. In her current role as the first appointed Professional Responsibility Advisor, Ms. Nakao advises, teaches and supports an office wide understanding and practice of ethical and professional conduct. In order to educate employees about their ethical and professional responsibilities, Ms. Nakao launched a department-wide implicit bias training. She is also preparing an expansion of peer support to address vicarious trauma in the office. Outside of the office, Ms. Nakao takes the initiative to advance her knowledge of professional responsibility. She currently serves as a volunteer subject matter expert for the Multistate Professional Responsibility Examination (MPRE). Additionally, Ms. Nakao was selected to serve on the State Bar of California's Ad Hoc Commission on the Discipline System to help improve the effectiveness of the attorney discipline system and to enhance protection of the public. She has been a long-time faculty member of the National District Attorneys Association (NDAA), and has lectured extensively on ethics and trial advocacy, both for the NDAA and the California District Attorneys Association. Ms. Nakao graduated from the University of Southern California and Loyola School of Law, Los Angeles.



Facilitator

Sophia Roach (Prosecutors' Center for Excellence)
Senior Attorney

Sophia Roach was a prosecutor in the San Diego County District Attorney's Office (SDCDA) for 23 years, where she assisted in the management of four divisions, issued and prosecuted over 600 vertical gang, narcotics, and family protection cases, and prosecuted 77 jury trials to verdict, including 11 murder cases and oversaw large scale investigations and wiretap projects. Ms. Roach is an expert in gang prosecution, the development of informants, protecting confidential information and vulnerable witnesses, complex wiretap investigations, inclusive *voir dire*, and elimination of bias in prosecution work. She is a veteran instructor of lawyers, law enforcement, and students at both the law school and collegiate level. She also served as an in-house Ethics Advisor from 2010-2021.

Ms. Roach previously served as a liaison to the FBI Violent Crime Task Force, the East County Gang Task Force, the Jurisdictions United for Drug and Gang Enforcement Task Force, and the San Diego Crime Laboratories. She was a training advisor for the California District Attorneys Association Narcotics Section, a member of the SDCDA Legal Training Advisory Board from 2009-2021, and the advisory board for the SDCDA Committee on Race and Equity.

Ms. Roach helped form the NDAA Women Prosecutors Section, San Diego Women Prosecutors, and Power League, a school based SDCDA outreach program. She served on the board of directors for the California District Attorneys Association and the San Diego Deputy District Attorneys Association, which awarded her their 2009 "Outstanding Prosecutor" and 2019 "Prosecutor of the Year" awards as well as two service awards. Ms. Roach has received 3 FBI Director Commendations and numerous other local law enforcement commendations.

Ms. Roach is currently employed as a senior attorney with Prosecutors' Center for Excellence and a consultant and trainer for Fair and Impartial Policing, where she has helped develop and teach their Science of Bias program for prosecutors. She also holds an LLM in Prosecutorial Science.



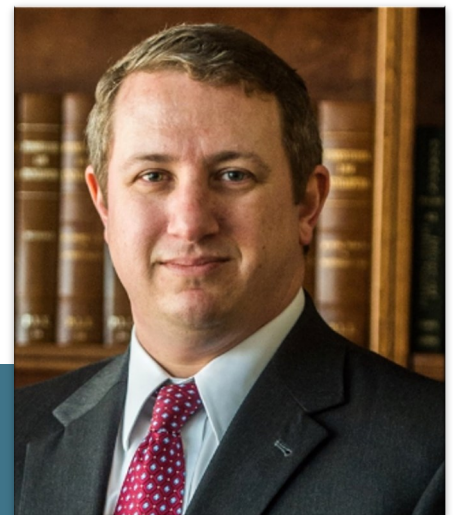
Facilitator

Jonathan Kurland
(Attorney Advisor, AEquitas)

Prior to joining AEquitas, Jonathan worked in the District Attorney's Office of Berks County, Pennsylvania where he started as an Assistant District Attorney and prosecuted the range of cases typical for a jurisdiction with a combination of urban, suburban, and rural communities. However, over time, Jonathan's focus increasingly trended to violent crime and cases involving the most vulnerable and exploited of victims. When Jonathan left after sixteen years in the District Attorney's Office to join AEquitas, he was the Chief Deputy District Attorney and supervised, advised, and still prosecuted matters involving intimate partner violence and homicides, sexual violence, child abuse, and grand jury investigations. During his time in the Berks County District Attorney's Office, Jonathan helped to develop collaboration between prosecutors, law enforcement, victim advocacy, medical professional, and other community stakeholders particularly through serving as the office lead for a variety of victim-focused multidisciplinary investigative teams and other community-based collaborative efforts focusing on intimate partner violence, sexual violence, child abuse, and human trafficking

In addition to his trial and supervisory experience, Jonathan served for two years in the appellate unit. He was assigned as a Special Assistant U.S. Attorney for Berks County, where he served as liaison to multiple agencies to facilitate federal adoption of prosecutions involving complex criminal enterprises and violent career criminals. He also served as adjunct faculty at Alvernia University, where he taught courses in the Criminal Justice Department.

Jonathan remains based in Berks County where he lives with his wife and son and spends his spare time running or feeling guilty for skipping running.



Kristine Hamann (Prosecutors' Center for Excellence)
Executive Director

Kristine Hamann is the Executive Director and founder of Prosecutors' Center for Excellence (PCE). PCE provides consulting and research services for prosecutors and supports statewide prosecutor-led Best Practices Committees. The Best Practices Committees are devoted to proactively improving the criminal justice system and assessing emerging issues. Ms. Hamann is a consultant for prosecutors of all sizes across the country on a variety of topics including full-office assessments, investigating violent crime, conviction integrity, discovery, body worn cameras, ethics and enhancing community trust. Many of these engagements are paid through federal grants. Ms. Hamann regularly presents at national and statewide prosecutor meetings on issues including the evolving role of the prosecutor, ethics, witness intimidation, eye witness identification procedures and conviction integrity units.

From July 2013 to January 2016, Kristine Hamann was a Visiting Fellow at the Department of Justice/Bureau of Justice Assistance. She is the chair of the New York State Best Practices Committee for prosecutors and she is a co-chair of the National District Attorneys Association's Best Practices Committee. She is an Adjunct Professor at Georgetown Law School. She is a member of the ABA Criminal Justice Council and is on the ABA Criminal Justice Journal Editorial Board. She was an Independent Counsel to the Conviction Integrity Unit of the United States Attorney's Office for the District of Columbia.

From 2008 to 2013, Ms. Hamann was the Executive Assistant District Attorney for the Special Narcotics Prosecutor for the City of New York. The office conducts international, national and local drug trafficking investigations and prosecutions which impact New York City.

From 2007 to 2008, Ms. Hamann was the New York State Inspector General. The Inspector General is charged with investigating and preventing fraud, waste and abuse in New York State government.

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Kristine Hamann (Prosecutors' Center for Excellence)
Executive Director

(Bio continued)

From 1998 to 2007, Ms. Hamann served as the Executive Assistant District Attorney to D.A. Robert M. Morgenthau in the Manhattan District Attorney's Office in New York City. Prior to 1998, Ms. Hamann held several other positions in the Manhattan District Attorney's Office, including Deputy Chief of the Trial Division in charge of the Criminal Court, Director of Training, and Deputy Bureau Chief of the Career Criminal Bureau. After law school she was an associate at Simpson Thacher and Bartlett in New York City.

She has received various awards including the Ethics and Accountability Award (City & State NY, 2018); Outstanding Prosecutor of the Year (NY State Bar Association, 2013), Prosecutor of the Year for Executive Leadership (NY District Attorneys Association, 2010), Excellence in Government Award (Albany Law School, 2008), Public Service Award (NY County Bar Association, 2005) and New York County District Attorney's Office Prosecutor of the Year (2001).



Related Materials



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Related Materials

- [Promise to the People, Broome County, NY, DA Gerald Mollen \(2012\)](#)
- ◆ [The Right Thing, District Attorneys Association for the State of New York \(2021\)](#)
- ◆ [Case Review Questions, NY Best Practices Committee \(2021\)](#)



CLE Credit and Survey



Instructions to Receive CLE Credit

Please Read Carefully

The Prosecutors' Center for Excellence has not requested continuing legal education accreditation for this program. Instead, we will supply you with a **Uniform Certificate of Attendance**. This certificate will include Prosecutors' Center for Excellence (PCE) as the sponsor, the title of this conference, the dates of this conference, the location of this conference as well as a calculation of the CLE Credit Hours under both a 60-minute and 50-minute hour system. We believe that these hours accurately reflect the CLE credit you should receive. However, each state has its own rules on the accrediting process which could affect this calculation.

At the end of each session, you will receive a conference evaluation. You will need to fill out the survey in order to receive the **Uniform Certificate of Attendance.**

As part of the meeting materials, PCE will supply you with this meeting's agenda, a description of the various content to be covered throughout this conference, as well as the names and biographies of the speakers.

You will need to apply for CLE credit on your own through your state's specific process. Most jurisdictions have this as an option. Some jurisdictions require members to apply and report within 30 days of the original program date. We hope that the **Uniform Certificate of Attendance** will aid you in this process.

Sign-In Sheets

To obtain CLE credit, most states require attendees to sign in at the time of the meeting. PCE will maintain a copy of the registration list as well as a record of who attended each session (present at start and end of each session) and send copies upon request.

Here are some specific sign-in rules from a variety of states. Because this is a virtual meeting due to COVID-19 there will be no physical sign-in sheet, instead PCE will be taking time-stamped screenshots of the participant list at the beginning and end of each session. If you need a copy of our records please contact PCE.

Delaware Attorneys: Delaware Attorneys and speakers seeking CLE credits must **sign in** at each individual session you attend.

Illinois Attorneys: Illinois Attorneys and speakers seeking CLE credits must **sign in** at each individual session you attend. The sign-in documentation is used to verify your total number of CLE hours.

New York Attorneys: New York Attorneys and speakers seeking CLE credits must **sign in** and **sign out** of each individual session you attend.

Pennsylvania Attorneys: Pennsylvania Attorneys must complete the Pennsylvania CLE Credit Request form to report attendance at in-person programs.



PROSECUTORS' CENTER FOR EXCELLENCE

UNIFORM CERTIFICATE OF ATTENDANCE

SPONSOR: Prosecutors' Center for Excellence
ACTIVITY TITLE: PCE Pop Up – Empowering Ethical Prosecution
DATE: December 8, 2021
LOCATION: Virtual

_____ **Full Program:** 2 hours of CLE Ethics credit, PENDING STATE APPROVAL.

TO BE COMPLETED BY ATTORNEY

By signing below, I certify that I attended the activity described above and am entitled to claim _____ 2 _____ CLE credit hours of which _____ 2 _____ were in Ethics.

ATTORNEY'S NAME *(please print)*


SIGNATURE

BAR MEMBERSHIP, REGISTRATION
OR SUPREME COURT NUMBER

DATE

STATE WHERE CREDITS ARE TO BE
REGISTERED

ACKNOWLEDGED BY:

 Digitally signed
by Kristine
Hamann
Date: 2021.11.14
18:56:34 -05'00'

Kristine Hamann
Executive Director / Founder
Prosecutors' Center for Excellence
Phone: 917.885.9065

NOTE: PLEASE DO NOT RETURN THIS FORM TO PCE

Meeting Survey

The December 8th PCE Pop-Up- Empowering Ethical Prosecution survey will be available at the end of the meeting. If you need proof of your survey for CLE credit please email PCE at contactpce@pceinc.org.

Evaluation Links:

[Pre/Post Test Questions](#)

[Survey](#)

Questions about Survey:

Marissa D'Amore– Mdamore@pceinc.org

Kristine Hamann- Khamann@pceinc.org



Thank you for participating!