Newsletter of the Utah Prosecution Council

The PROSECUTOR

RECENT CASES

United States Supreme Court

No habeas relief predicated on violation of state law

The U.S. Supreme Court ruled that the Seventh Circuit erred in granting an Indiana prisoner habeas corpus relief from his death sentence based on a violation of state law. Only a violation of federal law can provide a basis for federal habeas relief. Because the Seventh Circuit failed to identify a federal right that might have been violated, its decision provided no legal basis for federal habeas relief. *Wilson v. Corcoran*, 131 S.Ct. 13 (2010).

State's refusal to disclose foreign source of lethal injection drug does not violate 8th Amendment

A federal judge temporarily barred the state of Arizona from executing a prisoner because state officials refused to disclose the manufacturer from which the state obtains the sodium thiopental it uses for lethal injections. The Ninth Circuit affirmed, only to be overturned by the U.S. Supreme Court. Relying on its decision in *Baze v. Rees*, 553 U.S. 35 (2008), the Court reasoned that a defendant challenging a lethal-injection protocol under the Eighth Amendment must show a "substantial risk of serious harm." Although the unidentified foreign manufacturer was not FDA approved, there was no showing on the record of evidence, just speculation, that the drug was unsafe. *Brewer v. Landrigan*, 131 S.Ct. 445 (2010)

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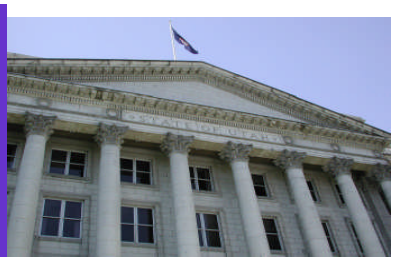

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Utah Supreme Court

Permit exception of Utah Government Immunity Act applies only to issuing government entity

Eleven-year-old Samuel Ives was sleeping at night in his tent in American Fork Canyon when he was attacked and killed by a black bear. Earlier that morning, campers had reported an attack by the same black bear at the same campsite. The Utah Division of Wildlife Resources unsuccessfully searched for the bear and did not request the United States Forest Service to close the campsite. Claiming negligence, Samuel's family sued the state of Utah.

The State conceded negligence in its motion for judgment on the pleadings and argued that it was shielded by the Government Immunity Act of Utah's permit exception. 63G-7-301(5)(c).The permit exception grants immunity in the face of negligence if "the injury…results from…the issuance of…any permit." However, the court held that the permit exception had no bearing on plaintiff's claims because only the government entity that issued the permit retains immunity. Here, the federal government owned the campsite and issued the permit. The court also rejected the State's two alternate arguments on appeal because they were not argued below and were not apparent on the record. *Francis v. Utah Division of Wildlife Resources*, 2010 UT 62.

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Case Summary Index

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Utah Court of Appeals

City employee's multiple post-termination claims rejected on appeal

After failing a breath alcohol test, John Thorpe was terminated from his job with Washington City. The Washington City Employee Board of Appeals (Board) subsequently denied his termination appeal. He then brought suit alleging unjust enrichment, wrongful discharge, breach of contract, whistleblower violations, and due process violations. The district court granted summary judgment for the city on each claim. The court of appeals affirmed the district court on all issues. First, the court held that Thorpe failed to bring his civil action within the 180-day statutory period as required under section 67-21-4(2) of the Whistleblower Act (WBA). Thorpe did file a notice of claim pursuant to the Governmental Immunity Act of Utah (GIA) within the WBA's required time, but such a claim is not considered a "civil action" under the WBA. Furthermore, although the GIA gives a one year time period to file a notice, the WBA's 180 day period must still be met.

Second, the court affirmed the district court's ruling that it lacked jurisdiction to review the Board's decision with respect to Thorpe's claims of wrongful discharge, due process, and breach of contract. Utah Code section 10-3-1106(6)(a) provides that "[a] final action or order of the appeal board may be appealed to the Court of Appeals by filing with that court a notice of appeal." The term "may" allows a terminated employee to choose whether or not to appeal the decision, but does not allow the employee to choose venue.

Third, the court affirmed the trial court's ruling that Thorpe's unjust enrichment claim seeking equitable relief was without merit. While equitable relief is available when legal relief is unavailable, Thorpe failed to timely allege that he did not have an adequate remedy at law. *Thorpe v Washington City*, 2010 UT App 297.

Hearsay evidence must be prejudicial to overturn case; destruction of evidence; reopening evidence for state to admit identity evidence; consecutive sentences; Batson challenge

Henry Jackson was convicted for attempted murder. On appeal, the court ruled that even if the trial court erred in admitting certain hearsay and photographs, Jackson was not unfairly prejudiced by such admissions. Likewise, the Court ruled that it was not unfair to uphold the case after the State destroyed evidence that allegedly supported Jackson's self-defense theory. Furthermore, the court ruled that because Jackson did not originally indicate that identity was an issue, the trial court did not err in reopening the case to give the State an opportunity to prove Jackson's identity with regard to an aggravating circumstance. Also, the court held that the trial court did not err in imposing consecutive sentences because the trial court adequately considered the evidence on all the relevant sentencing factors. Finally, the court held that the State was not racially motivated in peremptorily striking a prospective juror when the State claimed to strike him for being 'too young' and 'deaf in one ear.' *State v. Jackson*, 2010 UT App 328.

Guardianship priority not given to disqualified providers

Nancy Falke, who was in her 70s and who was the adoptive mother of three adult disabled sons, appealed the district court's order awarding permanent custody of her sons to the Office of Public Guardian. The court first held that Falke was not entitled to a statutory priority of guardianship appointment pursuant to Utah Code section 75-5-311(4) because such a priority does not apply to a disqualified person, which Falke was. The court also upheld the district court's determination that Falke was disqualified because she failed to marshal the factual evidence relied on by the

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PROSECUTOR PROFILE

Casey Jewkes,

Deputy Sevier County Attorney,

To sum up Casey Jewkes's past in one phrase: "small-town, hard-working, family-man." Born in Price, grew up in Castle Dale, and now working as the Deputy Sevier County Attorney, Casey credits much of who he is to the way he was raised. With a mother and father who taught him the value of hard work, and being the youngest of 6 kids who maliciously picked on him, Casey learned to work hard but not take life too seriously.

His first job was cleaning the floors and shelves of his dad's auto parts store. He also spent the summers working at his dad's farm. He still remembers the day he first got to operate the tractor making furrows. His excitement soon wore off after 10 straight hours on the tractor. Helping him on the farm were his 4 older brothers, who came up with a myriad of nicknames for Casey—though he'd rather not share what they were. He will say, though, that the latest nickname they gave him is "lawyerboy."

Casey became a lawyer in 2004, although growing up he wanted to be an NBA player. At 5 foot 11, Casey must have realized along the way that he'd be better at arguing than rebounding. Before graduating from the University of Wyoming's Law School, Casey attended Snow College where he met his wife. They fell for each other by sending emails back and forth while sitting in the same computer lab. This was when emailing was pretty new and hip, similar nowadays to teenagers and their texting.

After marrying, his wife worked for Delta which allowed them both to fly all over the country and even to Costa Rica (which was beautiful despite the chicken filled bus rides). They now have 4 kids under the age of ten—something he says is the most challenging, and rewarding, part of his life.

Casey credits his quest of being a lawyer to his wife's nudging. The most challenging and rewarding part of being a lawyer for him is dealing with victims. Also rewarding is when he witnesses a dangerous criminal head off to prison. One of his more embarrassing trial moments was one day during a motion calendar when he asked the clerk if he could look at the Court's file. In an attempt to reach the calendar, he spilled the Judge's water all over the bench.

Along with being fair and honest, Casey believes that one of the more important qualities of a good prosecutor is to realize that sometimes you win, sometimes you lose—just don't take it personally, or take yourself too seriously.

We look forward to seeing the many successes that Casey is sure to bring. His home-grown hard work ethic, light-humor, and family-life is a good reminder to all of us of what's really important about our jobs and roles in our communities.

PREFERRED NAME - Casey Jewkes

BIRTHPLACE - Price, UT

FAMILY - youngest of 6 kids; Father of 4 children

PETS - cat named Mellie

FAVORITE FOOD - buffalo wings

LAST BOOK READ - *Thomas Jefferson*

FAVORITE MOVIE - *Bourne Identity*

FOREIGN LANGUAGE - "No, but I think my toddler does"

UTES OR COUGARS? - both

FAVORITE HOBBY - fishing

FAVORITE QUOTE OR WORDS OF WISDOM: "You can't spend yourself rich and you can't borrow yourself out of debt."

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district court. There was ample evidence to support the district court's legal conclusion, including extremely unsanitary and dangerous conditions and Falke's inability to care for her sons. *Falke v. State*, 2010 UT App 339.

DCFS Practice Guidelines may not be substituted for applicable statutory definitions

To discipline a student, a teacher used a one six-inch piece of scotch tape to tape the student's wrists to her desk for two minutes. Based thereon, DCFS made a supported finding of Emotional Maltreatment-General, which was affirmed by an ALJ. After hearing the case on de novo appeal, the juvenile court entered a substantiated finding of "neglect-emotional maltreatment." The court of appeals reversed on three grounds: First, the juvenile court erred by basing its decision on DCFS's Practice Guidelines rather than the applicable statutory definitions in Utah Code Ann. § 62A-4a-101 to -1010. Second, emotional maltreatment does not fall within the statutory definition of neglect. Third, the record did not support the juvenile court's finding that the teacher's actions fell within the statutory meaning of abuse. *K.Y. v. Division of Child and Family Services*, 2010 UT App 335.

Erroneously admitted character evidence was not harmless error

Although he claimed self-defense, Kenneth Leber was convicted for second degree felony child abuse after he and his son got in a bloody fight over the son's loud guitar playing. The Utah Supreme Court held that the trial court erroneously admitted evidence about Leber's violent character and therefore remanded the case for the appellate court to determine if the erroneous introduction of character evidence was harmless. That evidence included Leber's 1996 child abuse conviction, a 2003 assault Leber committed in Alaska, an incident of domestic violence he committed against his former wife, testimony that Leber engaged in domestic violence "too many" times to count, testimony that Leber had abused his children "several times," and his former wife's testimony that he was violent with children. The appellate court reasoned that since the evidence was not clearly supportive of either version of events, then a different outcome was reasonably possible had the jury not been presented with the erroneously admitted character evidence. *State v. Leber*, 2010 UT App 315.

The Single Criminal Episode Statute bars subsequent prosecution where charges could have been filed within the jurisdiction of a single court

Defendant was charged with DUI, following too closely, and other misdemeanors, all arising from investigation of a hit and run. Later, for unclear reasons, the arresting officer issued a citation by mail for only the following too closely offense, which defendant promptly paid. Thereafter, Murray City ("city") formally charged defendant in justice court for all the offenses. When the city became aware defendant had paid the fine for following too closely, it moved to dismiss the remaining charges on the grounds that the single criminal episode statute barred prosecution on the remaining offenses. Thereafter, Salt Lake County charged defendant with felony DUI, based on priors and the other misdemeanors, all of which he moved to dismiss on both double jeopardy and res judicata grounds. The district court dismissed all but the felony DUI charge, reasoning that the felony DUI charge had not been within the jurisdiction of the justice court when it was dismissed as a misdemeanor.

The court of appeals reversed, holding that all four prongs of the single criminal episode were met. 1) The offenses were part of a single criminal episode. 2) The initial prosecution resulted in a conviction (payment of the citation). 3) The offenses were within the jurisdiction of a single court: regardless of whether the DUI was charged as a misdemeanor or a felony, there was a single court that could exercise jurisdiction over all of the offenses in a single prosecution. 4) The state failed to demonstrate that the felony DUI offense was not known to the prosecuting attorney. Since the court of appeals decided the case on single criminal episode grounds, it did not reach the double jeopardy and res judicata issues. *State v. Summerville*, 2010 UT App 336.

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County Attorney of the Year

Pictured, from left to right, are Brent Gardner, Executive Director of UAC, Dale Eyre and Troy Rawlings, Davis County Attorney and Chair of UCDAA.

Congratulations to Sevier County Attorney **Dale Eyre** on being selected by his counterparts around the state as County Attorney of the Year for 2010. Dale was recognized during the County and District Attorneys Executive Seminar, held on November 11-12 in conjunction with Utah Association of Counties' Annual Conference. The award is a joint presentation of the Utah County and District Attorneys Association, the Statewide Association of Prosecutors and the Utah Association of Counties.

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Defendant not entitled to "hybrid representation"

Defendant was represented by counsel and nevertheless filed a pro se letter intended to be a motion to withdraw his guilty plea. The court of appeals held that even if his pro se letter could be construed as a motion to withdraw his guilty plea, a criminal defendant is not entitled to "hybrid representation," i.e., benefit from assistance of counsel while simultaneously filing pro se motions. Thus, the district court did not err in failing to consider the pro se letter as a properly filed motion to withdraw defendant's guilty plea. The only exception to this rule is where a defendant files a pro se motion to disqualify appointed counsel. *State v. Navarro*, 2010 UT App 302.

Use of out-of-state DUI convictions for enhancement to felony

Defendant was charged with DUI as a felony because he had two prior California DUI convictions within ten years. He moved to dismiss the felony classification, arguing that the California convictions did not meet the requirements for enhancement under Utah law because the statutes do not prohibit exactly the same conduct and because the statutory presumptions under the respective DUI laws are different. "[S]ome behavior that may constitute a DUI under [the Utah DUI] statute may not constitute a violation of [the California DUI statute, but] all violations of [the California DUI statute] would constitute violations of [the Utah DUI statute.]" *State v. Rojo*, 2010 UT App 360, ¶ 7 (brackets in original). In other words, Utah's DUI statute prohibits a broader range of DUI-related behavior than California's. The court held that since defendant's convictions under the California DUI statute would "constitute a violation of [the Utah DUI statute], see Utah Code Ann. § 41-6a-501(2)(viii), they could be used to enhance.

Practice tip for prosecutors: if an out-of-state DUI conviction is based on a statute that prohibits a broader range of conduct than Utah's DUI statute, there is a possibility, but not a certainty, that a conviction based on the out-of-state statute might not be useable to enhance. It depends on which statute prohibits the broader range of DUI-related conduct. See Rojo, id. at n. 3, citing *United States v. Thomas*, 367 F.3d 194 (4th Cir. 2004). *State v. Rojo*, 2010 UT App 360.

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Other Circuits

Printout of a fruitless computer search does not need to accompany testimony under best-evidence rule

The defendant was convicted of being an alien found in the United States after removal. At trial, the government introduced testimony from a Border Patrol agent that he had searched the CLAIMS database using defendant's name, alien number, and date of birth, and found no record of defendant having filed a form necessary for re-entry application. The Ninth Circuit held that the agent's testimony that he was familiar with both the processes of searching the records and the government's recordkeeping practices regarding the database laid sufficient foundation to introduce his testimony about the absence of a record of application for defendant. The court also held the best evidence rule, codified at FRE 1002, was not violated by the agent's testimony, even though it was not accompanied by production of a printout showing the absence of a record of application. *United States v. Diaz-Lopez*, 625 F.3d 1198 (9th Cir. 2010). But see, *United States v. Orozco-Acosta*, 607 F.3d 1156 (9th Cir. 2010) (held: introduction at trial of certificate of non-existence of record (CNR) showing absence of re-entry application violated confrontation clause under Melendez-Diaz analysis, though violation was harmless error since agent custodian of defendant's immigration file testified live to absence of re-entry application and that CLAIMS search showed same).

Other States

Ambiguous request for counsel

The California Supreme Court ruled that a suspect did not unambiguously invoke his Fifth Amendment right to counsel during custodial interrogation when he said "I think it'd probably be a good idea for me to get an attorney." The court reasoned that words contained in the statement, such as "I think," "probably," and "it'd," were ambiguous. Also, the statement came during a rapid exchange with the interrogator in which defendant repeated several times, "talk to me." *People v. Bacon*, 240 P.3d 204 (Cal. 2010).

End of Briefs

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Educating Juries in Sexual Assault Cases
Part I: Using Voir Dire to Eliminate Jury Bias
By Christopher Mallios, JD and Toolsi Meisner, JD

Crimes of sexual violence continue to be misunderstood even though there has been significant research surrounding the dynamics of sexual assault and its impact on victims during the last three decades.[2] We now understand much more about these crimes, the people who commit them, and the way victims respond to trauma. Unfortunately, we cannot assume that the results of this research have infiltrated the minds of the average layperson, juror, or judge.

Too many people still believe the outdated and disproved mythology that surrounds sexual violence.[3] Rape myths shift the blame for the crime from the rapist to the victim.[4] When a fact-finder in a sexual assault case accepts a rape myth as true, the prosecutor faces tremendous barriers to achieving justice for victims and holding offenders accountable for their crimes.

This article is the first in a series that will explain strategies to educate juries about sexual violence facts and overcome common misconceptions. In addition to providing data-driven information about sexual assault based on research, journal articles, and authoritative publications, this article will suggests ideas to improve jury selection techniques. Future articles in this series will provide additional material to provide prosecutors with information and strategies to educate, dispel common misconceptions, and convey the truth to fact finders through other aspects of trial practice, including opening statements, direct examination, calling expert witnesses, and closing arguments.[5]

To be effective in prosecuting crimes of sexual violence, prosecutors must understand the research and statistics about sexual assault in order to educate judges and juries about sexual assault dynamics and common victim responses. Although much of the data in this area is not generally admissible in a criminal case, prosecutors can benefit from a thorough understanding of the dynamics of sexual assault because it will aid them when devising trial strategies, anticipating defenses, preparing victims, and developing effective cross-examinations and arguments. Further, prosecutors who truly understand sexual violence can better identify jurors who might harbor mistaken beliefs and accept false mythology about sexual assault and poison the rest of the jury with misinformation. When the prosecution selects jurors who have a more realistic understanding of the dynamics of sexual assault, they are more likely to be fair and perhaps even help educate other jurors during deliberation.

Voir Dire Practice and Legal Authority

Voir dire practice can differ depending on what state, county, and judge has jurisdiction over the case. Most jurisdictions have appellate case law addressing the defendant's right to conduct voir dire of jurors regarding their ability to be fair and follow the law. Appellate courts, however, have few opportunities to address the prosecutor's right to question jurors about the mistaken beliefs about rape they possess that would interfere with their ability to follow the law.[6] Prosecutors can make a persuasive argument that jurors with firmly held but mistaken beliefs about rape are unlikely to be able to follow the court's instructions in the law[7] and that specific questioning in this area is the only way to determine the prevalence of rape myths in the jury panel.[8] "Despite considerable research and publications in professional and popular journals concerning rape, [rape] myths continue to persist in common law reasoning."[9]

Traditional voir dire questions regarding jurors' abilities to follow the law, assess witness credibility, understand the burden of proof, and other common areas of inquiry might not sufficiently address potential jurors' emotional reactions to sexual assault cases. An increasing number of jurisdictions are curtailing the ability of prosecutors and defense attorneys to conduct meaningful voir dire of jurors in the name of "judicial economy." The prevalence of rape myths, however, weighs in favor of judges creating exceptions to the general rule of strictly limiting juror voir dire in sexual assault cases.[10]

Goals of Voir Dire in Sexual Assault Cases

In the general sense, the goal of voir dire is to select a jury that can be fair to both sides and render a verdict based on an application of the facts as the jury finds them and the law as the judge instructs them. Through a process where each side questions potential jurors and strikes jurors that appear to be biased against them, a fair jury emerges. In sexual assault cases, however, there are additional goals. For example, jurors do not harbor "robbery myths" that stand in the way of justice for robbery victims. In a sexual assault case, another goal of jury selection is to delve into juror rape myth acceptance and begin to redefine these problematic beliefs into juror competence. Jury selection should also begin to prepare the jury for the evidence, touch on difficult facts, and prepare the jury for the use of graphic terminology and evidence. Another goal, when possible, is to use a jurors' life experiences to educate the other jurors about friends or family members who have been victims of sexual assault and discuss their reactions to being victimized. This can set the stage for later evidence and arguments about victim behavior.

Suggestions for Voir Dire in Sexual Assault Cases

A victim is more likely to be sexually assaulted by someone s/he knows – friend, date, intimate partner, classmate,

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neighbor, or relative – than by a stranger.[11] Sexual violence can occur at any time and there is no way to adequately predict who might be a perpetrator. Unfortunately, non-strangers and familiar places are often the most dangerous to victims. According to a large study of women who were raped or sexually assaulted during 2002, sixty-seven percent identified the perpetrator as a non-stranger.[12] Another study found that 8 out of 10 victims know the people who raped them.[13] Another study found that nearly 6 out of 10 sexual assault incidents occurred in the victim's home or at the home of a friend, relative, or neighbor.[14] These studies, which are all based on statistics compiled by the U.S. Department of Justice, conclusively support the fact that most rapists are non-strangers.

There is no racial, socio-economic, professional, or other demographic profile that typifies a rapist. This type of criminal is not physically identifiable and often appears friendly and non-threatening.[15] Researchers and sexual violence experts spend considerable time attempting to educate the public about the danger of stereotyping rapists, but their messages are often undermined by the images perpetuated by popular media coverage of sexual assault cases. It is understandable, therefore, that jurors are commonly reluctant to convict attractive and sociable sexual assault defendants who are known to their victims.

Sexual assault defendants commonly appear in court well groomed and well dressed. They might also be married and have children. Jurors confronted with this image may be reluctant to convict without a constant reminder that the defendant is purposeful and dangerous. When the defendant is also a friend or family member of the victim and uses that relationship to gain, and then betray the victim's trust, jurors may need to be informed in order to recognize and understand the defendant's predatory behavior.[16]

In jurisdictions where prosecutors are permitted to ask questions of potential jurors during voir dire, it might be appropriate to ask whether a potential juror would be less likely to convict a defendant of rape if that defendant were a partner, friend, or acquaintance of the victim. The answer to this question provides insight into whether the juror knows that the majority of rapists are non-strangers and whether they view non-stranger rapes as seriously as those committed by strangers. A juror who understands the prevalence of non-stranger sexual assaults can also educate ill-informed jurors on the panel.

Another question to pose to jurors deals with their abilities to follow the judge's instructions regarding the definition of rape regardless of their personal beliefs. If the victim and defendant were in a relationship prior to or during the rape, tell prospective jurors that they will hear evidence about that relationship and ask whether the existence of a prior relationship would concern them when deciding the case. As always, follow-up questions regarding whether the juror expects rapists to be strangers and whether they can follow the law in this area would be useful to probe the beliefs behind the jurors' answers.

Sexual violence is never the victim's fault. No other crime victim is looked upon with the degree of blameworthiness, suspicion, and doubt as a rape victim. Victim blaming is unfortunately common and is one of the most significant barriers to justice and offender accountability.

Victim blaming can be expressed in several themes: victim masochism (e.g., she enjoyed it or wanted it), victim precipitation (e.g., she asked for it or brought it on herself), or victim fabrication (e.g., she lied or exaggerated).[17] In a criminal trial, the defense might appeal to some or all of these common victim-blaming biases to help the defendant avoid accountability. Further, it can translate into jurors blaming victims for their choices in an attempt to distance themselves from the victim and the crime thereby preserving the perception that they are safe if they do not make the same choices as the victim.

When allowed, prosecutors may consider asking questions to determine whether potential jurors understand the importance of holding the offender and not the victim accountable for crimes of sexual violence. For example, prosecutors could ask jurors whether they believe that a victim can be raped even if that victim consented to some other measure of intimate contact before the rape occurred.

In some cases it may be important to gauge whether jurors will still follow the law when the facts do not present the most sympathetic victim. Prosecutors may need to ask questions to determine whether jurors believe that a defendant can commit the crime of rape even if the victim was drinking, using drugs, dressed in a way that the jurors perceive as provocative, being prostituted, or engaged in any other behavior that may inappropriately cause victim blaming. Prosecutors should directly address victim behavior that jurors might consider problematic by preparing them for such behavior during the voir dire process. Through certain voir dire questions, prosecutors can also inform jurors that they will hear evidence regarding the victim's behavior before or after the assault that might cause jurors concern. For example, prosecutors may consider asking whether certain behaviors

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would cause the jurors unease and interfere with their ability to follow the court's instructions and render a fair verdict.

Prosecutors can counter victim-blaming myths throughout the trial by stressing that without consent, "No" means "No," no matter what the situation or circumstances. It doesn't matter if the victim was drinking or using drugs, out at night alone, gay or lesbian, sexually exploited, on a date with the perpetrator, or if the jurors believe the victim was dressed seductively. No one asks to be raped. The responsibility and blame lie with the perpetrator who took advantage of a vulnerable victim or violated the victim's trust to commit a crime of sexual violence.

Rape is an act of violence and aggression in which the perpetrator uses sex as a weapon to gain power and control over the victim. It is a common defense tactic in rape trials to redefine the rape as sex and try to capitalize on the mistaken belief that rape is an act of passion that is primarily sexually motivated. It is important to draw the legal and common sense distinction between rape and sex.

There is no situation in which an individual cannot control his sexual urges.[18] Sexual excitement does not justify forced sex and a victim who engages in kissing, hugging, or other sexual touching maintains the right to refuse sexual intercourse. Rapists do not rape because they want to have sex and many rapists also may have partners with whom they engage in consensual sex. Sexual deviance and character traits form the motives for rapists' behaviors.[19] Their sexual deviance may cause them to be aroused by exploiting the physical and/or psychological vulnerabilities in their victims, whether they result from intoxication or physical or mental disabilities. Rapists are also motivated by character traits common to many criminals.

> When an offender has a criminal, narcissistic, or otherwise interpersonally and socially compromised personality, he can be motivated to offend for a variety of reasons. He may lack the internal barriers that prevent offending, like guilt, remorse, empathy, or compassion. He may maintain a belief system, which devalues the rights of others and overvalues his rights. He may be indifferent to, or aroused by, the pain, suffering, injury, or humiliation of others. The offender also may feel that the rules of society do not apply to him.[20]

When conducting voir dire, prosecutors should look out for any answers that indicate that a potential juror might confuse sex with sexual violence and aggression. If a juror harbors attitudes that excuse sexual violence as something that men "simply can't control", they will not be able to deliberate fairly.

There is no "typical" sexual assault victim. Sexual violence can happen to anyone, regardless of sex, race, age, sexual orientation, socio-economic status, ability, or religion. Prosecutors might come across jurors who think that "real" sexual assault victims are attractive, young or sexually inexperienced. This particular stereotype of sexual assault victims is often related to the mistaken belief that rape is about sex, rather than violence, and that the attractiveness of the victim is one of the "causes" of the assault.

Although there is no typical sexual assault victim, studies indicate that certain groups are victimized at higher rates than others. One study found that people with disabilities have an age-adjusted rate of rape or sexual assault that was more than twice the rate for people without disabilities.[21] For individuals with psychiatric disabilities, the rate of violent criminal victimization including sexual assault was two times greater than in the general population.[22] American Indian and Alaska Native women and girls are victims of rape or sexual assault at a rate that is double that of other racial groups.[23]

The elderly, boys and men, sexually exploited women, or persons with disabilities challenge many jurors' beliefs about rape. Questioning potential jurors about their expectations of rape victims and whether they would be able follow the law and render a verdict of guilty, even if the victim does not fit their idea of what a "typical" rape victim should be, will help identify misinformed jurors who may need to be eliminated or educated.

Most victims do not incur physical injuries from sexual assaults. Many of the unwanted and forced acts that take place during a sexual assault do not result in visible non-genital injuries. Most adult rape victims do not have any non-genital injuries from sexual assaults. According to a study examining the prevalence of injuries from rape, only 5 percent of forcible rape victims had serious physical injuries and only 33 percent had minor injuries.24 This study also showed that most victims of rape, attempted rape, and sexual assault do not receive medical treatment for their injuries. Furthermore, the presence or absence of

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genital injuries following a rape is not necessarily significant when evaluating a case. Early studies of rape examinations found that most rape victims did not have any genital injuries.[25] Those initial studies, which relied on direct visualization without any magnification or staining techniques, found genital injury rates between 5 and 40 percent.[26] In jurisdictions where forensic sexual assault examiners use only direct visualization techniques without magnification or staining, injury rates would be expected to fall within the range of those studies.

Using the latest examination techniques, including direct visualization, colposcopy, staining techniques, and digital imaging, studies indicate the occurrence of genital injury after rape to be between 50 and 90 percent.[27] These newer examination techniques allow examiners to document many more minor injuries; however, more research is necessary to determine the prevalence of genital injuries after consensual sexual activity and the relevance, if any, of injury patterns in sexual assault examinations.

Jurors must understand that rape is a life-threatening event and victims make split-second decisions about how to react to sexual violence in order to survive. Some victims respond to the severe trauma of sexual violence through the psychological phenomenon of dissociation, which is sometimes described as "leaving one's body," while some others describe a state of "frozen fright," in which they become powerless and completely passive. Physical resistance is unlikely in victims who experience dissociation or frozen fright or among victims who were drinking or using drugs before being assaulted.[28] To a rape victim, a threat of violence or death is immediate regardless of whether the rapist uses a deadly weapon. The absence of injuries might suggest to some jurors that the victim failed to resist and, therefore, must have consented. The fact that a victim ceased resistance to the assault for fear of greater harm or chose not to resist at all does not mean that the victim gave consent. Each rape victim does whatever is necessary to do at the time in order to survive. The victim's decisions about whether to resist during a sexual assault can lead to jurors victim-blaming or perceiving the victim as less credible and must therefore be directly addressed by prosecutors.

In conducting voir dire, prosecutors may be able to ask questions to probe potential jurors' expectations that sexual assault victims must have suffered serious injuries. In cases involving a victim who has minor or no injuries, prosecutors may consider asking potential jurors whether they would not believe that a victim had been raped if the rapist did not use a deadly weapon or inflict serious injuries. To gain additional insights into the beliefs of potential jurors in this area, prosecutors may even consider asking whether jurors believe that a certain level of resistance is necessary for the crime of rape to occur. Furthermore, if the prosecution intends to call an expert to explain the lack of injuries, it may be important to ask whether potential jurors might be inherently distrustful of expert testimony.

A related issue pertains to jurors' unrealistic expectations and demands for other types of forensic evidence such as fingerprints and scientific testing such as criminalistics and DNA tests. Many prosecutors believe based on first-hand experience that the "CSI Effect" is one of the most significant barriers to justice in sexual assault cases.[29] In cases in which jurors might have heightened expectations regarding the availability of scientific evidence, it might be appropriate during voir dire to inquire into those expectations and begin to educate the jurors about why such evidence might not be available or probative based on the facts of the case.

Most rape victims delay reporting their victimization to law enforcement or never report at all. Victims of sexual assaults respond in various ways, including the manner in which they report incidents, if at all. Many victims choose not to report their victimization because they believe that it is a private or personal matter, fear the defendant, or believe the police are biased against them.[30] Some victims may be embarrassed or distrust law enforcement or the court process. The same reasons cause many victims who do file police reports to do so after some time has passed.

Studies show that sexual assault is one of the most under reported crimes, with 60 percent still being unreported.[31] The closer the relationship between the victim and the perpetrator, the less likely the victim was to report the crime to the police.[32] When the perpetrator is a current or former husband or boyfriend, that rate of reporting drops to approximately 25 percent.[33] Males are the least likely to report a sexual assault, though males make up approximately 10 percent of all victims.[34]

Victims may exhibit a range of emotional responses to assault: calm, hysteria, laughter, anger, apathy, or shock. Each victim copes with the trauma of the assault in a different way. Victims of sexual assault are three times more likely than the rest of the population to suffer from depression, six times more likely to suffer from post-traumatic stress disorder, thirteen times more likely to abuse alcohol, twenty-six times more likely to abuse drugs, and four times more likely to contemplate suicide.[35]

Continued on page 12

Educating Juries in Sexual Assault Cases
Part I: Using Voir Dire to Eliminate Jury Bias
(continued)

Depending on the facts of the case and how the victim acted after the assault, prosecutors may need to question jurors to ascertain whether specific victim behaviors would concern them and cause them to make adverse prejudgments about victim credibility. Additional questions about whether jurors could fairly consider expert testimony regarding victim behavior might be appropriate in cases in which the prosecution will introduce expert testimony.

Victim credibility is often the primary issue in sexual assault prosecutions and this is especially so in non-stranger cases. Some people are so skeptical of sexual assault allegations that they assume that most victims are lying when they report their victimization to law enforcement. The mistaken belief that most sexual assault allegations are false is unfortunately common. Significantly, methodologically reliable research indicates that only 2 to 8 percent of sexual assault cases involve false reporting.[36] This research conclusively disproves a common myth that most rape victims lie about being raped; nevertheless, defense attorneys may design a defense strategy to appeal to jurors who believe the oft-repeated myth that most rape victims lie. Expert testimony about the credibility of a witness is inadmissible and prosecutors will unlikely be allowed to ask potential jurors about their pre-conceived ideas about the credibility of a witness. Nevertheless, to the extent that the court will permit the prosecution to explore whether potential jurors harbor a general belief that most rape allegations are false, some questioning in this area could reveal anti-victim biases that could interfere with the juror's ability to be fair. Questions about whether a juror will wait until hearing all of the evidence – including expert testimony regarding common victim reactions to sexual assault – to decide the credibility of a witness can help reveal biased potential jurors and identify those who may be able to educate other members of the jury.

Conclusion

The jury selection process is the first opportunity for a prosecutor to begin educating jurors in a sexual violence case and allows prosecutors to identify and strike jurors whose biases will interfere with their ability to follow the law and render a fair verdict. Using deliberate and thoughtful language when explaining the facts of the case, providing context for victim behavior, and inquiring about jurors' life experiences can help prosecutors dispel myths and counter the defense strategies that seek to exploit them.

Successful juror education begins with voir dire, continues throughout the entire trial, and culminates with a strong closing argument. An appreciation of the facts about sexual violence is key to that success. A skillful jury selection is only the initial step in an effective prosecution strategy that will yield the best possible result in prosecuting these difficult cases. An effective strategy in these cases must continue with the collection and presentation of all corroborating evidence, application of solid trial advocacy skills, and the use of expert witnesses, when appropriate, to maximize offender accountability, and achieve justice.

Forthcoming articles in this series will further discuss the topic of juror education. In the meantime, please visit www.aequitasresource.org for additional information and resources related to the prosecution of sexual assault and other violence against women related cases.

(Endnotes)

1 Christopher Mallios and Toolsi Meisner are Attorney Advisors at Aequitas: The Prosecutors' Resource on Violence Against Women.
2 See e.g. William L. Assessment, Treatment, and Theorizing about Sex Offenders: Developments during the Last Twenty Years and Future Directions, 23 Crim. Just. & Behav. 162 (1999); Edna B. Foa & Barbara Olasov Rothbaum, Treating the Trauma of rape: Cognitive Behavioral Therapy (The Guilford Press 1998); Susan Estrich, Real Rape (Harvard University Press 1987).
3 See generally, Sarah Ben-David & Ofra Schneider, Rape Perceptions, Gender Role Attitudes, and Victim-Perpetrator Acquaintance, 53 Sex Roles 385, (2005).
4 See generally Kimberly A. Lonsway & Louise F. Fitzgerald, Rape Myths in Review 18 Psychol. of Women Q. 133 (1994).
5 More information and resources are available at www.AEquitasResource.org, and at http://www.pcar.org/aboust_sa/faq_sa.html.a (Pennsylvania Coalition Against Rape).
6 Following a conviction, the defendant in a criminal case can raise numerous claims, including legal challenges to the manner in which the trial court conducted jury selection; however, the Double Jeopardy Clause of the United States Constitution prevents the prosecution from filing an appeal after an acquittal in a case in which the trial court permitted biased jurors to be seated.
7 "Many jurors bring to the courtroom the myths about rape which had long influenced [the] courts as they applied 'special' rules of evidence only to rape cases." Commonwealth v. Gallagher, 547 A.2d 355, 360 (Pa. 1988) (Larsen, J., dissenting).
8 "[R]ape mythology persists, and recent studies reveal that rape myths insidiously infect the minds of jurors, judges, and others who deal with rape and its victims." State v. Robinson, 431 N.W.2d 165, 173 (Wis. 1988) (quoting Toni M. Massaro, Experts, Psychology, Credibility, and Rape: The Rape Trauma Syndrome Issue and Its Implications for Expert Psychological Testimony, 69 Minn. L. Rev. 395, 402-10 (1985)).

Continued on page 13

9 Sarah Ben-David & Ofra Schneider, Rape Perceptions, Gender Role Attitudes, and Victim-Perpetrator Acquaintance, 53 Sex Roles 385 (2005).
10 More information and resources are available at http://www.pcar.org (Pennsylvania Coalition Against Rape), and http://www.nsvrc.org (National Sexual Violence Resource Center).
11 See generally Kimberly A. Lonsway & Louise F. Fitzgerald, Rape Myths in Review 18 Psychol. of Women Q. 133 (1994).
12 Callie Rennison, National Crime Victimization Survey: Criminal Victimization 2000, Changes 1999-2000 with Trends 1993-2000, Bureau of Just. Stat., U.S. Dept. of Just.
13 Patricia Tjaden & Nancy Thoennes, Full Report of the Prevalence, Incidence, and Consequences of Intimate Partner Violence Against Women: Findings from the National Violence Against Women Survey, Nat'l Inst. of Just., U.S. Dept. of Just. (2000), available at http://www.ncjrs.gov/pdffiles1/nij/183781.pdf (last visited June 28, 2010).
14 Lawrence Greenfeld, Sex Offenses and Offenders, Bureau of Just. Stat., U.S. Dept. of Just. (1997).
15 See Veronique N. Valliere, Understanding the Non-Stranger Rapist, 1 The Voice, Nat'l District Attorneys Ass'n Newsletter, 4 (2007), available at http://www.ndaa.org/publications/newsletters/the_voice_vol_1_no_11_2007. pdf (last visited June 28, 2010) ("Another powerful tool [sex] offenders use to groom and manipulate their audience is to be nice. A 'nice' offender does not fit society's image of a rapist…Most non-stranger rapists use their social skills to gain control of and cooperation from the victim with little effort.").
16 Id. ("Nice comes through to juries and judges, as well as to the victim. Offenders often produce character witnesses to testify that they are good citizens/ fathers/workers/church members. The defendant is counting on society to perpetrate the belief that niceness cannot coexist with violence, evil or deviance; consequently, the 'nice' guy must not be guilty of the alleged offense.").
17 See Sarah Ben-David & Ofra Schneider, Rape Perceptions, Gender Role Attitudes, and Victim-Perpetrator Acquaintance, 53 Sex Roles 385, 386 (2005).
18 See Barbara E. Johnson, Douglas L. Kuch & Patricia R. Schander, Rape Myth Acceptance and Sociodemographic Characteristics: A Multidimensional Analysis, 36 Sex Roles 693, 696 (1997).
19. Veronique N. Valliere, Understanding the Non-Stranger Rapist, 1 The Voice, Nat'l District Attorneys Ass'n Newsletter, 2 (2007), available at http://www.ndaa.org/publications/newsletters/the _voice_vol_1_no_11_2007.pdf (last visited June 28, 2010).
20 Id.
21 Michael Rand and Erika Harrell, National Crime Victimization Survey, Crime Against People with Disabilities, Bureau of Justice Statistics, U.S. Dept. of Justice (2007), available at http://www.nsvrc.org/sites/default/files/ Crimes-against-people-with-disabilities-2007.txt
22 Virginia Aldigé Hiday, et al., Criminal Victimization of Persons with Severe Mental Illness, 50 Psychiatric Services 62 (1999).
23 Steven W. Perry, American Indians and Crime: A BJS Statistical Profile, 1992-2002, Bureau of Just. Stat., U.S. Dept. of Just. (2004), available at http://bjs.ojp.usdoj.gov/content/pub/pdf/aic02.pdf (last visited June 28, 2010).
24 Callie Rennison, Rape and Sexual Assault: Reporting to Police and Medical Attention, 1992-2000, Bureau of Just. Stat., U.S. Dept. of Just. (2002) (assuming that every rape victim suffers injury from the commission of the rape and referring to victims who suffered additional injuries in addition to the rape itself).
25 Marilyn Sawyer Sommers, Defining Patterns of Genital Injury from Sexual Assault: A Review, 8 Trauma, Violence & Abuse 270, 271 (2007).
26 Id.
27 Id.
28 Kimberly Lonsway, Joanne Archmbault & David Lisak, False Reports: Moving Beyond the Issue to Successfully Investigate and Prosecute Non- Stranger Sexual Assault, 3 The Voice, Nat'l District Attorneys Ass'n Newsletter, 8 (2009) available at http://www.ndaa.org/publications/newsletters/ the_voice_vol_3_no_1_2009.pdf (last visited June 28, 2010).
29 See generally, Donald Shelton, The "CSI Effect:" Does it really exist?, 259 Nat'l Inst. of Just. 1, (2008), available at http://www.ncjrs.gov/pdffiles1/nij/ 221500.pdf (last visited June 28, 2010).
30 Callie Rennison, Rape and Sexual Assault: Reporting to Police and Medical Attention, 1992-2000, Bureau of Just. Stat., U.S. Dept. of Just. (2002).
31 Michael Rand & Shannan Catalano, Criminal Victimization, 2006, Bureau of Justice Statistics, U.S. Dept. of Justice (2007), available at http://www.rainn.org/pdf-files-and-other-documents/ News-Room/press-releases/2006-ncvs-results/ NCVS%202006-1.pdf (last visited June 28, 2010).
32 Callie Rennison, Rape and Sexual Assault: Reporting to Police and Medical Attention, 1992-2000, Bureau of Just. Stat., U.S. Dept. of Just. (2002).
33 Id.
34 Id.
35 Rape-Related Posttraumatic Stress Disorder, National Center for Victims of Crime (2009), available at http://www.ncvc.org/ncvc/main.aspx? dbName=Document Viewer&DocumentID=32366 (last visited June 28, 2010).
36 Kimberly Lonsway, Joanne Archmbault & David Lisak, False Reports: Moving Beyond the Issue to Successfully Investigate and Prosecute Non- Stranger Sexual Assault, 3 The Voice, Nat'l District Attorneys Ass'n Newsletter, 2 (2009) available at http://www.ndaa.org/publications/newsletters/the_voice_vol_3_no_1_2009.pdf (last visited June 28, 2010).

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Director's Thoughts

I hope each of you had a great Thanksgiving holiday. In many ways, Thanksgiving is my favorite holiday. It is largely free of either the patriotic, political or religious symbolism that is associated with other celebratory days. Other than spending enough on the food for one meal to feed a third world family for months, Thanksgiving remains largely non-commercialized. It remains for most of us something that would be recognizable by those who first celebrated it some 389 years ago — a time to gather with family and friends and express appreciation for them and for the bounty with which we are so amply blessed.

And we have so very much for which to be thankful. Recently I heard a talk in church about gratitude and it started me thinking. Join me, if you will, in counting a few blessings.

The vast majority in our communities, our state, and our country, have warm, weather-tight homes in which to live. When compared to what our ancestors a century and more removed called home, or to what many people in other places today call home, we've got it really good. I expect that old Solomon Wixom, my great, great, grandfather who arrived in Utah in 1849, would have happily traded any house in which he ever lived for my dad's milking barn with it's cement floor, tight roof, electricity, and running water. The same goes for at least a quarter of the habitants of today's world.

How about personal safety for us and for our loved ones. While professionally we are exposed to the reality of crime and violence and what it does to people, the reality is that the vast majority of Americans take basic safety and security pretty much for granted. Despite the folks whose names show up on the Informations we file, ours is a society of honest, friendly and law abiding people.

Lets not forget the great jobs we have – and, that in a time when so many are unable to find any work, we have jobs. We are intellectually challenged, we work in warm, comfortable offices, we generally feel that what we do is important to our community, we get to associate with really great colleagues, and, despite our complaining, we are compensated at least reasonably well.

Consider modern conveniences: Solomon Wixom spent $300 - $400 for equipment and walked for three months while looking at the back end of an ox to get from Council Bluffs to Utah. Last week, for less than $500, I traveled to Asheville, NC on Sunday, did two and a half days of meetings and was back home by 10:30 p.m. on Wednesday – and never saw an ox. When Grandpa Solomon wrote to the family members he left back in Illinois, the letter might get to them in about 3-5 months. Today my wife has siblings in North Carolina, Texas, Louisiana, Wisconsin, Minnesota, North Dakota and Bethlehem, Israel. Every Friday evening some or all of them get on their computer and talk - not text, but talk - to each other in real time. If they all had cameras they could see each other as well. Don't forget paved roads, clean water, sanitary sewer disposal, garbage pickup, water heaters, washing machines, electric and gas ranges, fresh fruit and vegetables in the middle of January, etc., etc.

I'll add our political system to the list of things for which we ought to give thanks. Consider how we just went through an election in which we collectively threw the ins out and put a bunch of new folks in. In many lands the ins could be expected to resort to declarations of emergency. There would be troops in the streets. In contrast, not once following our recent elections was there any hint of concerns that the soon to be outs would do anything but leave quietly; peacefully turning over the reigns of power to the new guys. In many places around the world this absolute expectation of a peaceful transition of power would be thought laughable and naive. Not here. As a member of the cast of a popular 1970s sitcom used to say, ***"What a country!"***

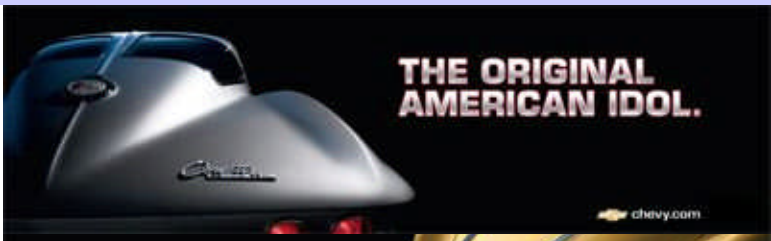
Don't let this most festive of months go by without taking time to enjoy it.

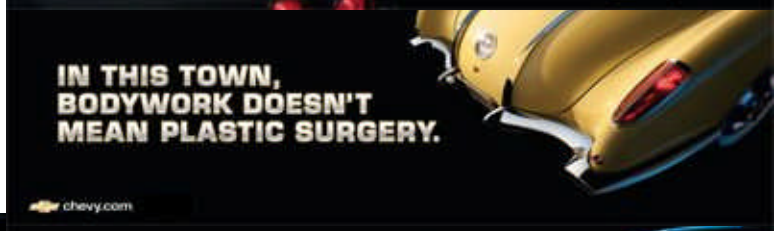
Happy Holidays
and a
Really Great
New Year

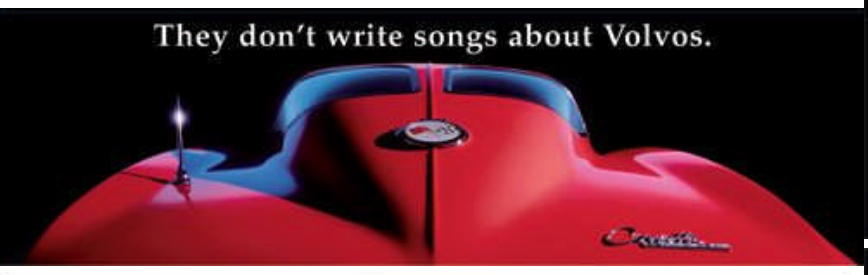
On the Lighter Side

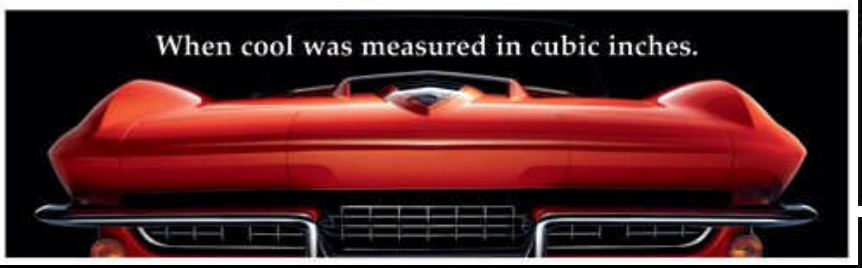
These are pictures of Chevy billboards that are posted around Detroit. They are very obviously aimed at baby boomers, and being a certified member of that generation, they caught my interest and I couldn't resist passing them on. Some of you youngsters may also enjoy them. Yea, I know, cars manufactured today will last longer and are more reliable than were these iron monsters from Detroit. But when was the last time a Honda or a Toyota made you look twice or raised your pulse rate? Enjoy the trip down memory lane. Yeah, Baby!!

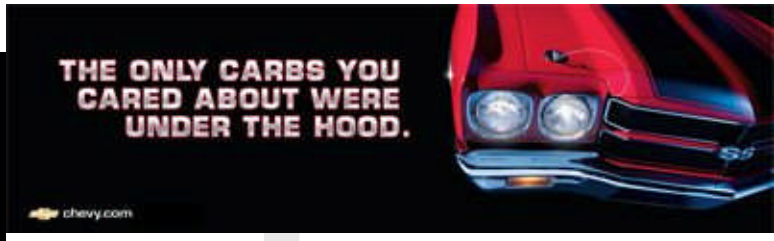
Mark Nash

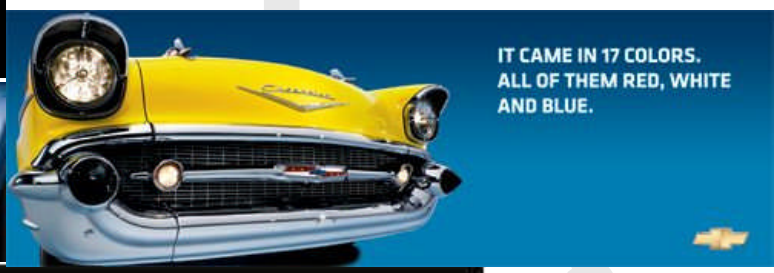


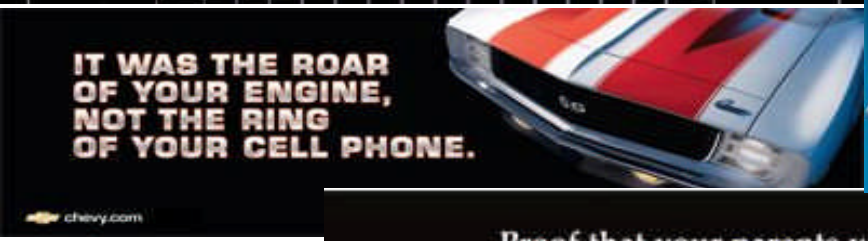


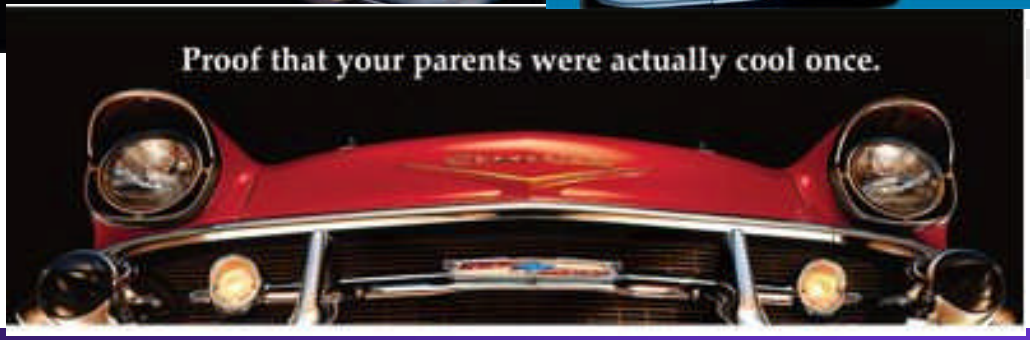




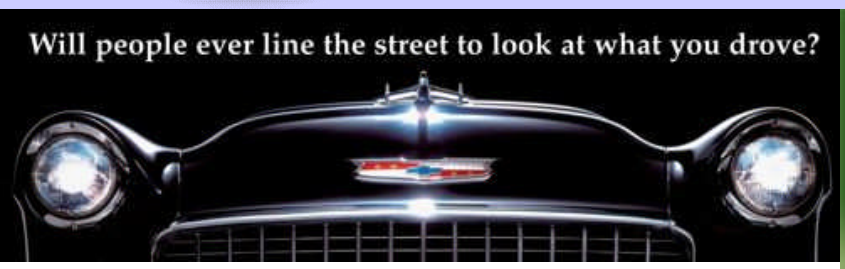


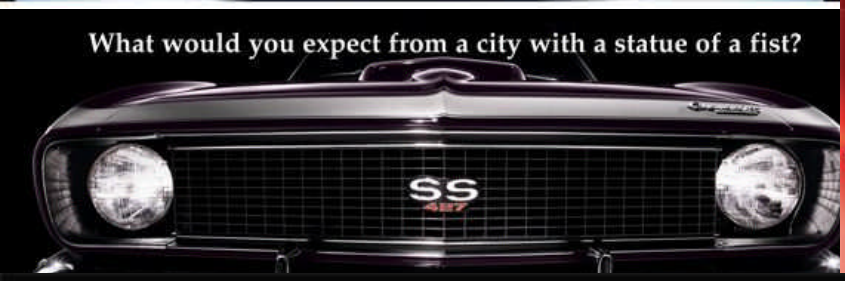






On the Lighter Side





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We'd like to hear it! Please forward any jokes, stories or experiences to jstott@utah.gov.

The Utah Prosecution Council

Mark Nash, Director, mnash@utah.gov
Ed Berkovich, Staff Attorney - DV/TSRP, eberkovich@utah.gov
Marilyn Jasperson, Training Coordinator, mjasperson@utah.gov
Ron Weight, IT Director, rweight@utah.gov
Jeff Stott, Law Clerk, jstott@utah.gov

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2011 Training Calendar

UTAH PROSECUTION COUNCIL AND OTHER LOCAL CLE TRAININGS

March 15-18 *(probable date)*	TRAIN THE TRAINERS *Training experienced prosecutors to be excellent trainers and instructors*	Hampton Inn & Suites West Jordan, UT
April 27-29	SPRING CONFERENCE *Case law and 2011 legislative update, ethics, civility and more.*	South Towne Expo Sandy, UT
May	REGIONAL LEGISLATIVE UPDATE SESSIONS *24 legislative update sessions for cops and prosecutors*	24 locations in all areas of the state
May 17-19	ANNUAL CJC / DOMESTIC VIOLENCE CONFERENCE *Workers against all types of interpersonal violence get to mingle and learn*	Zermatt Resort Midway, UT
June 23-24	UTAH PROSECUTORIAL ASSISTANTS ASSOCIATION CONFERENCE *Substantive training for non-legal staff in prosecution offices*	Location pending
August 4-5	UTAH MUNICIPAL PROSECUTORS ASSOCIATION SUMMER CONF. *The annual opportunity for municipal prosecutors to gather for mutual training*	Moab Valley Inn Moab, UT
August 15-19	BASIC PROSECUTOR COURSE *Substantive and trial advocacy training for new and newly hired prosecutors*	University Inn Logan, UT
September 14-16	FALL PROSECUTOR TRAINING CONFERENCE *The annual training and interaction event for all the state's prosecutors*	Facility pending Park City, UT
October 19-21	GOVERNMENT CIVIL PRACTICE CONFERENCE *Training and interaction for civil side public attorneys*	Zion Park Inn Springdale, UT
November 9-11	ADVANCED TRIAL SKILLS TRAINING *Substantive and trial advocacy training for experienced prosecutors*	Location pending
November 17-18	COUNTY/DISTRICT ATTORNEYS EXECUTIVE SEMINAR *Elected and appointed county/district attorneys meet in conjunction with UAC*	Dixie Center St. George, UT

NATIONAL COLLEGE OF DISTRICT ATTORNEYS (NCDA)* AND OTHER NATIONAL CLE CONFERENCES

December 5-8	THE EXECUTIVE PROGRAM		Register	San Francisco, CA
December 5-9	FORENSIC EVIDENCE	Agenda	Register	San Antonio, TX

***** For a course description, click on the course title (if the course title is not hyperlinked, the sponsor has yet to put a course description on line). If an agenda has been posted there will be a "Agenda" link next to the course title. Registration for all NDAA sponsored courses is now on-line. To register for a course, click either on the course name or on the "Register" link next to the course name.

Training *continued on page 13*

2011 Training Calendar

NATIONAL ADVOCACY CENTER (NAC)

A description of and application form for NAC courses can be accessed by clicking on the course title.

Effective February 1, 2010, The National District Attorneys Association will provide the following for NAC courses: course training materials; lodging [which includes breakfast, lunch and two refreshment breaks]; and airfare up to $550. Evening dinner and any other incidentals are NOT covered.

Feb. 28 - March 4 April 11-15	TRIAL ADVOCACY I *A practical, "hands-on" training course for trial prosecutors* ***Registration deadline: Feb. 28th course is Jan. 3rd; April 11th course is Feb. 11th***	Summary	Register NAC	Columbia, SC
March 14-17	CROSS EXAMINATION *A complete review of cross examination theory and practice* ***The registration deadline is January 14, 2011.***	Summary		NAC Columbia, SC
March 21-25	PROSECUTOR BOOTCAMP *Specifically designed for newly hired prosecutors* ***The registration deadline is January 21, 2011.***		Register	NAC Columbia, SC
April 3-8	childProof *Intensive course for experienced child abuse prosecutors* ***The registration deadline is February 5, 2011.***	Summary		NAC Columbia, SC

NATIONAL DISTRICT ATTORNEYS ASSOCIATION COURSES* AND OTHER NATIONAL CLE CONFERENCES

April 4-8	EQUAL JUSTICE FOR CHILDREN	San Diego, CA
May 2-6	INVESTIGATION AND PROSECUTION OF CHILD FATALITIES AND PHYSICAL ABUSE	Indianapolis, IN
June 20-24	UNSAFE HAVENS I	Portland, OR
July 15-20	NDAA SUMMER COMMITTEE & BOARD MEETINGS & CONFERENCE	Sun Valley, ID