



OHIO ASSOCIATION  
OF CRIMINAL  
DEFENSE LAWYERS

2720 Airport Drive, Suite 100  
Columbus, OH 43219

**DEATH PENALTY SEMINAR**  
**NOVEMBER 20-22, 2013**



OHIO ASSOCIATION  
OF CRIMINAL  
DEFENSE LAWYERS

*Presents..*

**ANNUAL DEATH PENALTY SEMINAR**

***The seminar BY Defense Attorneys FOR Defense Attorneys***

**NOVEMBER 20-22, 2013**

**13.50 CLE HOURS**

*Due to the nature of this seminar,  
Prosecuting Attorneys are not permitted to attend.*

[www.oacdl.org](http://www.oacdl.org)

The Westin Hotel • 310 South High Street • Columbus, OH 43215 • 614.228.3800 • [www.westincolumbus.com](http://www.westincolumbus.com)



# DEATH PENALTY SEMINAR

## NOVEMBER 20-22, 2013

The Westin Hotel  
310 South High Street  
Columbus, OH 43215

### DIRECTIONS TO THE THE WESTIN HOTEL

#### From the South:

Take I-71 North. Just before reaching the downtown area, exit I-70 East. Take the first exit, which is Front/High Street. Go straight to High Street and turn left. The Westin is approximately 3 blocks on your right. Parking entrance is on Main Street.

#### From the North:

Take I-71 South to I-670 West. Take 670 – Dayton/Airport exit, veer to right, merging with traffic in your left two lanes. Follow directions to Third Street. Take the Third Street exit and go 11 blocks to Mound Street and turn right on Mound. Go one block to High Street and turn right. The Westin is at the corner of High and Main Streets. Parking lot entrance is on Main Street.

#### From the West:

Take I-70 East to the Front/High Street exit. Go straight off the exit to High Street and turn left. Approximately 3 blocks you will see the Westin on your right at Main Street. Parking lot entrance is on Main Street.

#### From the East:

Take I-70 West to the Fourth Street exit. Stay in the middle lane. Proceed straight through the first light. Approximately 3 blocks turn right on to High Street. The Westin is at the corner of High and Main Streets. Parking lot entrance is on Main Street.

#### Westin Great Southern Hotel

310 South High Street  
Columbus, OH 43215  
614.228.3800  
www.westincolumbus.com

## AGENDA

### WEDNESDAY, NOVEMBER 20

**7:00 – 8:00 p.m.** The Basics of Capital Litigation: The Ohio Statutes and the Guidelines  
**Faculty Members of the Seminar**

### THURSDAY, NOVEMBER 21

**8:00 – 8:30 a.m.** Registration and Welcome  
**Speaker** **J. Anthony Rich, President, OACDL**

**8:30 – 9:00 A.M.** Introduction -Recent Death Penalty Developments – State and National  
**Speaker** **David Stebbins, Columbus**

**9:00 – 10:00 a.m.** United States Supreme Court Update  
**Speaker** **Prof. Marge Koosed, University of Akron School of Law**

**10:00-10:15 a.m.** Break

**10:15 – 11:00 a.m.** Ohio Supreme Court Update  
**Speaker** **Kathleen McGarry, Glorieta, New Mexico**

**11:00 - 12:00 p.m.** Communicating with Our Clients; the Courts; the Prosecutors; the Victim's Families; the Press; and Other Players Who Can Influence the Outcome of Our Client's Case  
**Speaker** **Millard Farmer, Atlanta, Georgia**

**12:00 – 12:15 p.m.** Presentation of Schumacher Award  
**Speaker** **David Stebbins**

**12:15 – 1:15 p.m.** Lunch (Provided)

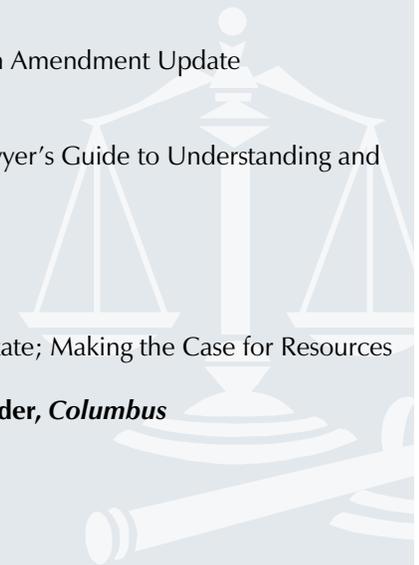
**1:15 – 2:15 p.m.** Crawford and a 4th, 5th and 6th Amendment Update  
**Speaker** **Russ Bensing, Cleveland**

**2:15 – 4:00 p.m.** Behind the DNA Report: A Lawyer's Guide to Understanding and Defending DNA Evidence  
**Speaker** **Andrew Stevenson, Lancaster**

**3:00 – 3:15 p.m.** Break

**4:00 – 4:45 p.m.** Good News From Around the State; Making the Case for Resources and Experts  
**Speaker** **Tim Young, Ohio Public Defender, Columbus**

**5:00 – 6:00 p.m.** Social Gathering – Westin Hotel





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### AGENDA

#### THURSDAY, NOVEMBER 21 ALTERNATIVE APPELLATE TRACK

- 1:00 – 1:45 p.m.** Capital Appeals in the Supreme Court of Ohio And Certiorari in Supreme Court of the United States  
**Speaker** **Kathleen McGarry, Glorieta, New Mexico**
- 1:45 – 2:30 p.m.** Oral Argument in Capital Cases in the Supreme Court of Ohio  
**Speaker** **Yvette McGee Brown – Former Justice Ohio Supreme Court, Columbus**
- 2:30 – 2:45 p.m.** Break
- 2:45 – 3:30 p.m.** Martinez v. Ryan, Trevino v. Thaler – Developments in IAC of PC Counsel as Cause – and Ethical Dilemmas that Martinez Raises  
**Speaker** **Allen Bohnert, Capital Habeas Unit, Office of the Federal Public Defender, Columbus**
- 3:30 – 4:15 p.m.** Creative State Court Litigation: Before, During and After Habeas Litigation  
**Speaker** **Randall Porter, Office of the Ohio Public Defender, Columbus**

#### FRIDAY, NOVEMBER 22

- 8:30 – 9:00 a.m.** Joint Task Force to Review the Administration of Ohio’s Death Penalty – Update  
**Speaker** **John Parker, Cleveland**
- 9:00 – 10:00 a.m.** The Confessions of Innocent Men  
**Speaker** **Marc Bookman, Atlantic Center for Capital Representation, Philadelphia, PA**
- 10:00 – 10:15 a.m.** Break
- 10:15 – 12:00 p.m.** A Primer on the Colorado Method of Jury Selection in Capital Cases  
**Speaker** **David Lane, Kilmer, Lane & Newman, LLP Denver, CO**
- 12:00 – 1:00 p.m.** Lunch (Provided)
- 1:00 – 2:00 p.m.** When the System Finally Works: The Stories of Former Death Row Inmates: Dale Johnston, Derrick Jamison, & Joe D’Ambrosio  
**Speakers** **Marge Koosed - Moderator Dale Johnston, Columbus Derrick Jamieson, Cincinnati Joe D’Ambrosio, Cleveland**
- 2:00 – 3:00 p.m.** Finding Mitigating Evidence; Finding Allies in the Most Unlikely Places; Communications; Clemency –The Billy Slagle Story  
**Speakers** **Joseph Wilhelm and Vickie Werneke Capital Habeas Unit - Office of the Federal Public Defender - Cleveland**
- 3:00 – 3:15 p.m.** Break
- 3:15 – 4:15 p.m.** What’s New and What Does Any of this All Mean When You Have an Ugly Capital Case  
**Speaker** **David Doughten and John Parker Cleveland, Ohio**

### UPCOMING SEMINARS

- December 6, 2013** Hot Topics in Criminal Law, including substances abuse, ethics and professionalism | OCLC, Dublin
- January 20, 2014** Current Issues in Criminal Law | University of Cincinnati School of Law, Cincinnati
- March 6-8, 2014** Advanced DUI Seminar | Westin Hotel, Columbus

This seminar has been approved by the Rule XX Committee on Appointment of Counsel for Indigent Defendants in Capital Cases for 13.50 hours of training, including 7.50 hours of Appellate training.

Presentation of the DONALD C. SCHUMACHER LIFESAVER AWARD. This award honors Don’s long service to the OACDL and recognizes his significant contributions to the defense of indigent defendants facing the death penalty and his services in teaching the criminal defense community about the latest ideas and techniques. The OACDL created the DONALD C. SCHUMACHER LIFESAVER AWARD for Excellence in Death Penalty Litigation. This yearly award is designed to recognize outstanding achievements in avoiding imposition of the death penalty through trial excellence, mitigation investigation and presentation, as well as appellate and post-conviction litigation, and education.

CLE Credit Hours: Pursuant to Rule X of the Government of the Bar, the Sponsor has requested 13.50 hours of credit from the Supreme Court Commission on Continuing Legal Education. Participants must apply through the CLE Seminar Sponsor for Credit. All attorney registrants must indicate their Ohio Registration Number (as issued by the Ohio Supreme Court) on the registration form. All attendees must return complete CLE forms to OACDL at the end of the seminar.



# DEATH PENALTY SEMINAR

NOVEMBER 20-22, 2013

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2720 Airport Drive, Suite 100  
Columbus, OH 43219  
800.443.2626/fax 740.654.6097  
www.oacdl.org

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## REGISTRATION FORM

Name \_\_\_\_\_

Name for Badge \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_ Email \_\_\_\_\_

**Seminar Cost:**  \$350.00 OACDL Member  \$375.00 Walk-in Rate  
 \$400.00 OACDL Non-Member  \$425.00 Walk-in Rate

**Attending Wednesday evening session?**  Yes, I will  No, I won't **Attending Habeas section?**  Yes, I will  No, I won't

Register online at [www.oacdl.org](http://www.oacdl.org) and click on Seminars (to pay with credit card); or complete this registration form and mail to OACDL with either check made payable to OACDL or credit card information below. No telephone registrations accepted.

Charge my  Visa  MasterCard  Discover in the amount of \$ \_\_\_\_\_

Card # \_\_\_\_\_

Expiration Date \_\_\_\_\_ 3 Digit Security Code \_\_\_\_\_

Signature \_\_\_\_\_

(Cancellations must be received by Monday, November 18 to receive a refund)

### SERVICES FOR PERSONS WITH DISABILITIES

If special arrangements are required for individuals to participate in this seminar, please contact the OACDL at least 3 days prior to the course date at 800.443.2626.

### PUBLIC DEFENDER/PRO BONO FUNDING PROVIDED BY THE OFFICE OF THE OHIO PUBLIC DEFENDER

If you have represented at least one client on a Pro Bono basis during the past year, you are entitled to attend this seminar FREE of CHARGE. You may not have used that case to attend any other seminar on a PRO BONO basis. However, any attorney, private or public defender, is limited to 2 seminars per fiscal year (July 1, 2013 – June 30, 2014) on this basis.

#### PRO BONO REPRESENTATION WAS PROVIDED IN THE FOLLOWING:

This is to certify that the attorney named at right provided representation for an indigent person charged with a criminal offense in my court. Further, the attorney did not submit a bill for payment for any services involved in that representation and represented the defendant on an appointed basis at no cost to the state.

**All Pro Bono and Public Defenders MUST Be Pre-registered by Nov. 2, 2013. Space is limited to the first 50 people to apply.**

State/City \_\_\_\_\_ vs. \_\_\_\_\_

Case # \_\_\_\_\_ County \_\_\_\_\_

Date Representation Provided \_\_\_\_\_

Offense Charged \_\_\_\_\_

Judge's Name \_\_\_\_\_

Judge's Signature (required) \_\_\_\_\_

**OR** Public Defender Information (do not complete if pro bono portion is filled out)

Name of Director or County Public Defender \_\_\_\_\_

County in which you serve as a public defender \_\_\_\_\_

County Public Defender's Signature (required) \_\_\_\_\_

There is limited scholarship money for Pro Bono and Public Defenders. Space is limited to the first 50 people to apply. You will receive notification via email if your registration is one of the first 50.

PAYMENT