

# National District Attorneys Association Newsclips

## January 15, 2010

### Today's Clip Headlines

- **In Harsh Reflection Of Reality, Mexico's Museum Of Drugs Outgrowing Its Space**
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- **'Sexting' Case To Take Center Stage At 3rd Circuit**

### Clip Synopses and Links

*The Washington Post*

#### **In Harsh Reflection Of Reality, Mexico's Museum Of Drugs Outgrowing Its Space**

When the Mexican military opened its Museum of Drugs in 1985, there were only a couple of dusty display cases in a small cramped room.

How the situation has changed. The museum is now housed in spacious suites at Mexico's version of the Pentagon, but its curators say they are running out of room for all the contraband they would like to showcase.

The legacy of President Felipe Calderón will be, for better or worse, his confrontation with the drug mafias, which continue to shock and amaze with their brutality and brazenness. On Saturday, Mexicans opened their morning newspapers to read that cartel assassins in the state of Sinaloa had peeled the face off their victim and sewn the skin onto a soccer ball.

The museum is open to Mexican officials, visiting diplomats and graduating army cadets, who tour the exhibits to learn about their only real enemy, the drug cartels. Occasionally the brass lets a journalist have a look, but the greater public is not permitted.

<http://www.washingtonpost.com/wp-dyn/content/article/2010/01/13/AR2010011304573.html>

*CNN*

#### **Murder Trial Shines National Spotlight On Abortion Debate**

Jury selection begins this week in the murder trial of a man who admits he fatally shot Dr. George Tiller, one of four abortion providers in the country who performed late-term abortions.

But if defendant Scott Roeder has his way, abortion also will be on trial when testimony begins.

Sedgwick County prosecutors are fighting to keep the issue of abortion out of the trial, and even the presiding judge has said he does not want the case to become a venue for a debate on the legality of abortion.

But Judge Warren Wilbert has not made a final ruling on what role, if any, the abortion issue will play in the trial.

Jury selection was delayed Monday when prosecutors filed additional motions asking the judge to keep tight reins on Roeder's planned defense.

<http://www.cnn.com/2010/CRIME/01/11/roeder.abortion.murder.trial/index.html>

*Chicago Tribune*

### **Quinn Signs Bill Restricting Early Prison Release**

After weeks of criticism over his administration's decision to release some inmates from prison early in a cost-cutting move, Gov. Pat Quinn today signed a bill to restrict such programs.

The new law requires prisoners to serve at least 60 days in state custody before they become eligible for meritorious good conduct credit, which is typically awarded for completion of drug or education programs.

In addition, the Illinois Department of Corrections must notify prosecutors at least 14 days in advance of a prisoner being released early due to earning credit. It also seeks to provide additional accountability by requiring the corrections chief to submit a written rationale for why a prisoner deserves the credit.

The governor signed the bill following a scandal that resulted when some of the inmates released early turned out to have violent records. Some of them already have returned to prison.

[http://newsblogs.chicagotribune.com/clout\\_st/2010/01/quinn-signs-bill-restricting-early-prison-release.html](http://newsblogs.chicagotribune.com/clout_st/2010/01/quinn-signs-bill-restricting-early-prison-release.html)

*St. Louis Post Dispatch*

### **Mo. Senator Files Bill To Collect More DNA Samples**

A Missouri lawmaker wants to expand the kinds of criminal suspects from whom police collect samples of DNA.

DNA samples are now taken from people 17 and older who are arrested on suspicion of violent felonies, sex offenses or burglary.

A bill by Republican Sen. Matt Bartle of Lee's Summit would add robbery suspects to that group.

Bartle says DNA samples collected under a law that took effect last August already have helped police solve old crimes.

The samples are supposed to be discarded if charges are dropped or never filed. They're also discarded if a suspect is tried and found not guilty.

Critics have raised privacy concerns about forcing suspects to provide DNA.  
[http://hosted.ap.org/dynamic/stories/M/MO\\_XGR\\_DNA\\_ARRESTS\\_MOOL-?SITE=MOSTP&SECTION=HOME&TEMPLATE=DEFAULT](http://hosted.ap.org/dynamic/stories/M/MO_XGR_DNA_ARRESTS_MOOL-?SITE=MOSTP&SECTION=HOME&TEMPLATE=DEFAULT)

*The News & Observer (Raleigh)*

### **N.C. Unprepared For Sex Offenders**

If states are left with the responsibility of monitoring sexually dangerous inmates turned loose from federal prisons, North Carolina isn't ready.

The U.S. Supreme Court is considering whether to prohibit federal officials from committing those offenders deemed sexually dangerous after they serve their sentences. Since 2006, federal prison officials have 105 inmates they fear will strike again as soon as they are released. Lower courts sided with sex offenders, ruling that the federal government didn't have the right to hold them.

A law passed in 2006 allows federal prison officials to petition a judge to hold any inmate found to be too sexually dangerous to release. These inmates are deemed to have a mental illness or abnormality that makes them likely to strike again if set free.

Lawyers for the offenders have argued that the law is unconstitutional.

If federal authorities are forced to back off, that puts the burden squarely on the states to figure out how to watch these offenders.

[http://www.newsobserver.com/news/local\\_state/story/285295.html](http://www.newsobserver.com/news/local_state/story/285295.html)

*Lincoln Journal Star*

### **Sending Or Receiving Text Messages While Driving May Soon Be Illegal In Nebraska.**

State Sen. John Harms of Scottsbluff introduced a bill (LB945) Thursday to ban texting while driving. It would bring Nebraska in line with 19 other states and the District of Columbia.

Harms says he thinks texting is a dangerous distraction for drivers.

In an Associated Press survey of Nebraska's 49 lawmakers, 22 said they supported such a

ban. Only five senators said they opposed a ban. Six said they were unsure about a ban, and 16 did not participate in the survey.

AAA Motor Club and the National Safety Council are encouraging all states to outlaw any cell-phone use and texting while driving.

[http://www.journalstar.com/news/local/govt-and-politics/article\\_caedbeaa-0133-11df-993f-001cc4c002e0.html](http://www.journalstar.com/news/local/govt-and-politics/article_caedbeaa-0133-11df-993f-001cc4c002e0.html)

*The Star-Ledger Newark*

### **N.J. Vehicle Ignition Locks For Convicted Drunken Drivers Becomes Law**

New Jerseyans convicted of certain drunken driving offenses would have their vehicles outfitted with a breathalyzer device that would lock their ignition if their blood alcohol concentration reading reached a certain level, under a law signed today by acting Gov. Stephen Sweeney.

The ignition interlock device would be mandatory for first-time offenders with a blood alcohol concentration of at least .15, and would remain in place for six months to a year. All repeat offenders would be required to outfit their vehicles for one to three years, under the law.

[http://www.nj.com/news/index.ssf/2010/01/acting\\_gov\\_stephen\\_sweeney\\_app.html](http://www.nj.com/news/index.ssf/2010/01/acting_gov_stephen_sweeney_app.html)

*Charleston Daily Mail*

### **Critics Say Plan To Reform Courts Not Enough**

Several efforts to reform West Virginia's court system are now fully backed by Gov. Joe Manchin, although supporters of court reform say the plans do not go far enough and critics argue the changes may do little to change things.

In his Wednesday State of the State address, Manchin said West Virginia should begin publicly financing Supreme Court elections and create a formal system to fill court vacancies.

The recommendations come in part from the state's 10-member Independent Commission on Judicial Reform, which was created by Manchin and co-chaired by former U.S. Supreme Court Justice Sandra Day O'Connor. The panel released its full findings late last year.

Manchin also announced that the West Virginia Supreme Court of Appeals is working on a "major reform" that will change the way it handles appeals from lower courts.

<http://www.dailymail.com/News/201001140682>

*Legal Intelligencer*

### **'Sexting' Case To Take Center Stage At 3rd Circuit**

A federal appeals court on Friday takes up the growing practice of "sexting" -- in which teenagers transmit nude and semi-nude photos of themselves and others by phone -- as the judges tackle the vexing question of whether such images can be deemed child

pornography.

The appeal in *Miller v. Skumanick* stems from a civil rights suit brought by three Wyoming County, Penn., girls against then-District Attorney George Skumanick Jr. alleging that he violated their First Amendment rights with his threat of a child pornography prosecution if they refused to take a class he had designed to educate youths about the dangers of sexting.

The case is the first in the country to challenge the constitutionality of bringing child pornography charges in the context of sexting.

[http://www.law.com/jsp/article.jsp?id=1202437997494&Sexting\\_Case\\_to\\_Take\\_Center\\_Stage\\_at\\_rd\\_Circuit](http://www.law.com/jsp/article.jsp?id=1202437997494&Sexting_Case_to_Take_Center_Stage_at_rd_Circuit)

## Conferences

### **Bootcamp: An Introduction to Prosecution**

February 8-12, 2010

NAC, Columbia, South Carolina

[http://www.ndaa.org/pdf/NAC\\_September\\_2009\\_March\\_2010.pdf](http://www.ndaa.org/pdf/NAC_September_2009_March_2010.pdf)

### **Investigation & Prosecution of Child Fatalities & Physical Abuse**

February 1-5, 2010

Santa Fe, New Mexico

[http://www.ndaa.org/pdf/childFatalities09\\_SantaFe\\_final.pdf](http://www.ndaa.org/pdf/childFatalities09_SantaFe_final.pdf)

### **NDAACapital Conference**

February 8-10, 2010

Washington, DC

The Liaison Capitol Hill

For reservations, call 866.233.4642

NDAAC room rate is \$209

Cut-off for reservations is January 16, 2010

To register, click here:

[http://ndaasupport.org/tinc?key=XQjOC5wC&formname=Capital\\_Conference](http://ndaasupport.org/tinc?key=XQjOC5wC&formname=Capital_Conference)

### **Prosecuting Drug Cases**

February 21-25, 2010

Memphis, Tennessee

[http://www.ndaa.org/education/ndaa/drug\\_prosecution\\_training\\_schedule.html](http://www.ndaa.org/education/ndaa/drug_prosecution_training_schedule.html)

### **Cybersleuth I**

February 22-26, 2010

NAC, Columbia, South Carolina

**National Institute on the Prosecution of Domestic Violence:** for prosecutors working in specialized domestic violence units and co-located environments

February 23-26, 2010

New Orleans, Louisiana

Application / Scholarship Form:

[http://www.ndaa.org/education/ndaa/domestic\\_violence\\_training\\_schedule.html](http://www.ndaa.org/education/ndaa/domestic_violence_training_schedule.html)

**Unsafe Havens II (Prosecuting Online Crimes Against Children)**

March 1-5, 2010

NAC, Columbia, South Carolina

[http://www.ndaa.org/pdf/NAC\\_September\\_2009\\_March\\_2010.pdf](http://www.ndaa.org/pdf/NAC_September_2009_March_2010.pdf)

**Prosecuting Homicide Cases**

March 7-11, 2010

Orlando, Florida

[http://www.ndaa.org/education/ndaa/homicide\\_capital\\_litigation\\_training\\_schedule.html](http://www.ndaa.org/education/ndaa/homicide_capital_litigation_training_schedule.html)

**Trial Advocacy II**

March 22-26, 2010

NAC, Columbia, South Carolina

[http://www.ndaa.org/pdf/NAC\\_September\\_2009\\_March\\_2010.pdf](http://www.ndaa.org/pdf/NAC_September_2009_March_2010.pdf)

**Cross-Examination**

March 29-April 1, 2010

NAC, Columbia, South Carolina

[http://www.ndaa.org/pdf/NAC\\_September\\_2009\\_March\\_2010.pdf](http://www.ndaa.org/pdf/NAC_September_2009_March_2010.pdf)

**NDA Spring Board Meeting**

April 8-10, 2010

Charleston, SC

Francis Marion Hotel

For reservations, call 877.756.2121

NDA room rate is \$189

Cut-off for reservations is March 17, 2010

**Childproof: Advanced Trial Advocacy for Child Abuse Prosecutors**

April 25-30, 2010

NAC, Columbia, South Carolina

[http://www.ndaa.org/pdf/NAC\\_September\\_2009\\_March\\_2010.pdf](http://www.ndaa.org/pdf/NAC_September_2009_March_2010.pdf)

**National Child Support Attorney College**

April 26-29, 2010

Costa Mesa, Orange County, California

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

**Equal Justice for Children: Investigation & Prosecution of Child Abuse**

May 17-21, 2010

Charleston, SC

[http://www.ndaa.org/pdf/ChildAbuse\\_May10\\_Draft\\_Agenda.pdf](http://www.ndaa.org/pdf/ChildAbuse_May10_Draft_Agenda.pdf)

**NDAA Summer Board Meeting**

July 9-11, 2010

Napa, California

**NDAA 2010 Summer Conference**

July 11-14, 2010

Napa, California

**Change, Add or Delete E-mail Addresses**

If you no longer wish to receive the clips or wish to add an e-mail address, please send a message to [jean.hemphill@ndaa.org](mailto:jean.hemphill@ndaa.org)

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