

National District Attorneys Association Newsclips

July 21, 2009

Prosecuting Drug Cases

September 13-17, 2009

San Diego, California

http://www.ndaa.org/ncda/ncda_course_prosecuting_drug_cases_09.php

U. S. Congressional Hearings

Over-Criminalization of Conduct/Over-Federalization of Criminal Laws Hearing

Subcommittee on Crime, Terrorism, and Homeland Security

07/22/2009, 3:00 P.M., 2237 Rayburn House Office Building

“RESCHEDULED Examining S. 845, The ‘Respecting States Rights and Concealed Carry Reciprocity Act of 2009’ “

Subcommittee on Crime and Drugs

7/23/2009, 2:30 p.m., 226 Dirksen Senate Office Building

Today’s Clip Headlines

- **New Path To Restore Identities Of Missing**
- **California Police Groups Fear Budget Will Release Inmates**
- **Public Defender Committed To Quality**
- **S.C. Case Looks On Child Obesity As Child Abuse. But Is It?**
- **Effort Would Allow ‘Concealed Carry’ Across State Lines**
- **Doyle Wants Checkpoints**

Clip Synopses and Links

The Washington Post

New Path To Restore Identities Of Missing

Web Site Combines Details of Remains, Disappearances

The U.S. Department of Justice’s National Missing and Unidentified Persons System, or NamUs, is an online tool aimed at naming the countless John and Jane Does whose remains have been shelved in the offices of medical examiners and police forensic labs across the country. It matches missing persons cases with the nameless bodies or skeletons.

Police, medical examiners, coroners and family members all have access to the database, and they try to take information from the years-old missing persons reports and match them to details from the dead bodies.

In the Virginia case, a detailed description of Toussaint Gumbs’s body -- down to a scar on the 16-year-old’s thigh -- was entered on the site. A volunteer surfing the Web flagged the similarities with reports of Toussaint’s disappearance in Richmond. Using the latest

DNA technology, officials helped confirm the teenager's death and finally gave his family an answer.

<http://www.washingtonpost.com/wp-dyn/content/article/2009/07/20/AR2009072003540.html>

The Sacramento Bee

California Police Groups Fear Budget Will Release Inmates

Police groups began flooding the Capitol with telephone calls Monday in an effort to derail any early release of felons in a fierce campaign that shifts the budget battleground from legislative leaders to targeting rank-and-file lawmakers.

The California Police Chiefs Association and numerous other groups plan to fight on the Assembly floor a portion of the budget they say could result in early release of thousands of felons from prison.

The basic agreement struck Monday evening by Gov. Arnold Schwarzenegger and legislative leaders to close a \$26.3 billion budget gap is likely to produce intense lobbying by a variety of powerful special interests.

<http://www.sacbee.com/politics/story/2042018.html>

The News Journal (New Castle-Wilmington)

Public Defender Committed To Quality

Goal is to provide top legal service to indigent

Delaware's new top public defender, Brendan O'Neill, says it does not matter to him how the public views the people his office represents.

They can be seen as bad guys, even evil in some cases, he said. But there is something larger at stake: the constitutional right to a fair trial and to be represented by competent counsel. That right is for everyone, he said, not just the rich or those looked on favorably by the public.

So no matter who is accused and is standing at the defense table, "It is my duty and my privilege to defend them," he said.

And, O'Neill said, as head of the Office of the Public Defender it is his goal to provide quality representation for the indigent -- challenging state prosecutors to meet the burden of proof -- equal to any private attorney or law firm in the state, not just the bare minimum.

<http://www.delawareonline.com/article/20090721/NEWS/907210336/1006/NEWS&referrer=NEWSFRONTCAROUSEL>

USA Today

S.C. Case Looks On Child Obesity As Child Abuse. But Is It?

Jerri Gray was doing all she could to help her son lose weight, her attorney says. But something had gone terribly wrong for the boy to hit the 555-pound mark by age 14.

Authorities in South Carolina say that what went wrong was Gray's care and feeding of her son, Alexander Draper. Gray, 49, of Travelers Rest, S.C., was arrested in June and charged with criminal neglect. Alexander is now in foster care.

The case has attracted national attention. With childhood obesity on the rise across the USA, according to the Centers for Disease Control and Prevention, Gray's attorney says it could open the door to more criminal action against parents whose children have become dangerously overweight.

"If she's found guilty on those criminal charges, you have set a precedent that opens Pandora's box," Grant Varner says. "Where do you go next?"

State courts in Texas, Pennsylvania, New York, New Mexico, Indiana and California have grappled with the question in recent years, according to a 2008 report published by the Child Welfare League of America.

In all of those cases, except the one in California, courts expanded their state's legal definition of medical neglect to include morbid obesity and ruled that the children were victims of neglect, the report says. Criminal charges were filed only in the California and Indiana cases, but the parents weren't sentenced to jail time in either.

http://www.usatoday.com/news/health/weightloss/2009-07-20-obesityboy_N.htm

Pittsburgh Post Gazette

Effort Would Allow 'Concealed Carry' Across State Lines

Mayors aiming to stop gun bill

Both sides of the endless tug-of-war over gun rights are watching the U.S. Senate this week to see which way lawmakers will vote on a controversial bill involving concealed carry permits for pistols.

At issue is the "Concealed Carry Reciprocity Act," which would require states to honor permits issued by other states.

The bill, introduced by a South Dakota senator, would affect hundreds of thousands of gun owners in Pennsylvania and across the nation.

In Allegheny County alone, about 50,000 people have carry permits.

The gun lobby, most notably the National Rifle Association, supports the bill, saying it bolsters the rights of law-abiding gun owners by allowing them to carry their weapons across almost all state borders.

But several groups that routinely spar with the NRA, including CeaseFirePA and Mayors

Against Illegal Guns, oppose the proposed law because they say it will water down state standards for issuing permits.

<http://www.post-gazette.com/pg/09202/985227-454.stm>

Milwaukee Journal Sentinel

Doyle Wants Checkpoints

Sobriety tests among possible tools to fight drunken driving

Gov. Jim Doyle called Thursday for tougher laws to fight drunken driving — including legalizing roadside sobriety checkpoints in Wisconsin.

“Most of us are in much more danger from a drunk driver than we are from a person that is going to break into our house,” he said. “I don’t think we should have a ban (on checkpoints). . . . I think it can be a useful tool, used appropriately and in a limited way.”

The Democratic governor said courts have set criteria for the constitutionality of checkpoints. Any new Wisconsin law would have to follow those guidelines, ensuring stops are not made in a discriminatory fashion, he said.

<http://www3.jsonline.com/story/index.aspx?id=809697>

Conferences

26th Annual Convention

National Black Prosecutors Association

July 19–25, 2009

Memphis, Tennessee

<http://www.blackprosecutors.org/annualconference.html>

Unsafe Havens I: Prosecuting Online Crimes Against Children

July 27 - 31, 2009

Chicago, Illinois

http://www.ndaa.org/education/ndaa/child_abuse_training_schedule.html

Prosecuting Drug Cases

September 13-17, 2009

San Diego, California

http://www.ndaa.org/ncda/ncda_course_prosecuting_drug_cases_09.php

NAJIS Annual Conference - National Association for Justice Information Systems

“Fine Tuning Technology in Today’s Economy”

September 15-17, 2009

Nashville, Tennessee

<http://www.najis.org>

5th National Community Prosecution Conference

October 6-8, 2009

Los Angeles, California

[http://www.ndaa.org/pdf/5th National CP Conference 09.pdf](http://www.ndaa.org/pdf/5th_National_CP_Conference_09.pdf)

National Conference on Domestic Violence

October 31 – November 4, 2009

San Antonio, Texas

http://www.ndaa.org/ncda/ncda_course_domestic_violence_09.php

The Executive Program

October 24-28, 2009

Myrtle Beach, South Carolina

http://www.ndaa.org/ncda/ncda_course_executive_program_09.php

Prosecuting Homicide Cases

November 8-12, 2009

San Francisco, California

http://www.ndaa.org/ncda/ncda_course_prosecuting_homicide_09_fall.php

Forensic Evidence

December 6-10, 2009

San Diego, California

http://www.ndaa.org/ncda/ncda_course_forensic_evidence_09.php

Prosecuting Sexual Assaults

December 6-10, 2009

Washington, D.C.

http://www.ndaa.org/ncda/ncda_course_prosecuting_sexual_assault_09.php

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

Member Benefits

New NDAA membership benefits available: <http://www.ndaa.org/>

Need Case Assistance?

NDAA can help. Send a message to NDAA's technical assistance e-mail address and we will get your request to one of our program specialists or out to prosecutors around the country. E-mail jean.hemphill@ndaa.org