

DATE/TIME	SPEAKER	Title/TOPIC	CLE Hours
Thursday June 25, 2020	VIA MS TEAMS		
8:25 – 8:30 a.m.	Travis/Todd/Jason	Welcome	
8:30 a.m.-9:45 a.m.	Luke Heck/Drew Hushka	State of North Dakota Case Law Update	1.25 general
9:45 a.m. – 10:00 a.m.	BREAK	BREAK	BREAK
10:00 a.m.-11:00 a.m.	Jason J. Tupman	Complex Credit: The Interaction of Federal and State Sentences	1.0 general
11: 00 a.m.-12:00 p.m.	Jana Miner Christopher J. Lancaster	Conflict of Interest: Ethical and Practical Management of Withdrawal as Counsel	1.0 Ethics
12:00 p.m.-12:30 p.m.	LUNCH	Lunch	Lunch
12: 30 p.m.-2:00 p.m.	Dr. Greg Davis	Diagnostically Difficult Forensic Cases: Logistics, Ethics and Case Examples	1.5 general
2:00 p.m.-2:15 p.m.	BREAK	BREAK	BREAK
2:15 p.m.-3:45 p.m.	Brian Leslie	Coercive Interrogation and Interview Techniques	1.5 general
3:45 p.m.- 5:00 p.m.	Scott D. McGregor	U.S. Sup. Ct. Update	1.25 general
			6.5 general 1.0 ethics

## Indigent Defense 2020 Summer CLE Webinar

Thursday June 25, 2020

### SPEAKER BIOS

#### **Mr. Brian Leslie:** (Complete Bio Attached as PDF)

Brian Leslie is a coercive interrogation & interview techniques expert, with over 14 years of previous law enforcement experience which includes major case investigation and specialized training, as well as a term service as Chief of Police. Through Mr. Leslie's law enforcement career, he has conducted over 2000 interviews with witnesses/ victims including interrogations. He is regularly retained to examine, investigative methods used by law enforcement as well as examine the contents of written, video and audio witness/victim interview, suspect interviews and interrogations (audio, video and written transcripts) that were conducted by law enforcement and forensic interviews conducted by child protection service agencies in both the United States and Canada. Mr. Leslie has testified and been qualified as an expert in Federal, State and Military Courts throughout the United States.

#### **Dr. Gregory Davis:**

After receiving his undergraduate degree from the University of Kentucky, Greg Davis obtained the MD degree from the University of Tennessee College of Medicine, whereupon he returned to Kentucky for a rotating/psychiatry internship at the University of Louisville. After Anatomic and

Clinical Pathology residency at U of L, he remained in Louisville for his forensic fellowship at the Office of the Chief Medical Examiner. He is certified by the American Board of Pathology in Anatomic Pathology, Clinical Pathology, and Forensic Pathology.

After postgraduate training, Dr Davis served as a faculty member at Wake Forest University School of Medicine (formerly Bowman Gray School of Medicine) from 1991-1996, where he was also county medical examiner (death investigator) for Forsyth (“fur-SYTH”) County and a regional forensic pathologist for the State of North Carolina. In 1996, he returned to Kentucky, where he is now Professor of Pathology and Laboratory Medicine, serving as Advisor to the Residency Training Program, Associate Director of the Hospital Autopsy Service, Director of the Division of Forensic Consultation Services, and *pro bono* (without compensation) consultant to the Veterans Administration Medical Center. From 1998 – 2005, he was Associate Chief Medical Examiner of the Commonwealth of Kentucky, and he now serves as *pro bono* consultant to the Office of the Kentucky State Medical Examiner. He is also Professor in the Department of Toxicology and Cancer Biology of the College of Medicine, Interdisciplinary Fellow of the UK College of Law, and has served as Chair and Advisor to the Forensic Pathology Committee and Chair of the Technology Assessment Committee of the College of American Pathologists, the leading organization of board-certified pathologists, serving patients, pathologists, and the public by fostering and advocating excellence in the practice of pathology and laboratory medicine. Greg has testified as an expert in forensic medicine, pathology, and toxicology in 17 states, US Federal Court, and the Republic of Singapore. He hosts a weekly radio spot, “Dr Greg Davis on Medicine,” on WUKY 91.3 FM University of Kentucky Public Radio/NPR, <http://wuky.org/term/dr-greg-davis-medicine>.

### **Mr. Luke Heck**

Luke is a criminal defense attorney in the Fargo office of the Vogel Law Firm, practicing in North Dakota, Minnesota, and the United States District of North Dakota. When not practicing law, Luke spends his time at the sorority house he purchased, along with his wife and [if post-July] three daughters.

### **Mr. Drew Hushka**

Drew Hushka is a graduate of North Dakota State University and the Penn State School of Law. He has practiced with the Vogel Law Firm since 2014.

### **Mr. Jason Tupman**

Jason Tupman graduated from the University of Oklahoma College of Law in 2005 with honors. After beginning his career with a large civil defense firm in Kansas City, in 2006 he transitioned to a position as an Assistant Public Defender for the Kansas Board of Indigent Defense Services. Next, Jason joined the Federal Public Defender’s Office in 2010 as an Assistant Federal Public Defender located in the Sioux Falls branch office. In 2018, he was promoted to First Assistant Federal Public Defender. On February 28, 2020 Jason was appointed to be the Federal Public Defender for the Districts of North Dakota and South Dakota for a four-year term. During fifteen years as a practicing public defender Jason has extensive experience, success, and failure in the motion, trial, appellate, and post-conviction practice areas.

### **Mr. Scott McGregor**

University of South Dakota (B.A. 1974); University of Kansas (M.P.A. 1976); University of Idaho (J.D. 1982); Deputy State Planning Commissioner & Director, Governor's Office of Water Policy, State of South Dakota 1977-1979; Deputy States Attorney, Pennington County, South Dakota 1983-1985; Solo Practice, Rapid City, South Dakota 1985-1987; Finch, Viken Viken & Pechota, Rapid City, South Dakota 1987-1991; Viken, Viken, Pechota, Leach & Dewell, LLP, Rapid City, South Dakota 1991-2000; Deputy State Treasurer, State of South Dakota 2000-2002; Research & Writing Specialist, Federal Public Defender, Districts of South Dakota and North Dakota, 2003-Present. Mr. McGregor's private practice focused on federal and state criminal defense, federal tort claims, and civil rights & government law. In his current position he concentrates on federal criminal motion practice and appeals. McGregor is admitted to practice before the South Dakota Circuit and Supreme Court, the United States District Court for the District of South Dakota, United States Courts of Appeal for the Eighth and Federal Circuits, United States Court of Claims and the United States Supreme Court. He is a member of several professional associations and has served on the boards of a number of professional and community organizations. Mr. McGregor resides in Rapid City, South Dakota, with his wife, Karen, a retired deputy county auditor.

### **Ms. Jana Miner**

Jana Miner is a 1983 graduate of the University of South Dakota School of Law. In her criminal defense career, she has tried more than 140 cases, ranging from shoplifting to death penalty. Miner joined the federal defender system in 1991, serving in New Mexico, the Western District of Missouri, and Iowa, before returning to South Dakota in 2000 to serve as the First Assistant 2001-2009 and Senior Litigator for the Federal Public Defender for the Districts of North Dakota and South Dakota, 2009 to present. She has lectured on criminal defense and trial skills for the South Dakota State Bar, South Dakota Trial Lawyers Association, the New Mexico and South Dakota Criminal Defense Lawyers associations, and most recently was a faculty member for the American Board of Trial Advocates trial academy at the USD law school. Miner has served two terms as a South Dakota Bar Association commissioner (1990-91 and 2013-16) and was appointed in 2019 to a five year term on the Disciplinary Board for the State Bar of South Dakota. She was honored in 2019 as the Lawyer of the Year for the South Dakota Criminal Defense Lawyers Association.

### **Bryan Dean**

Bryan Dean grew up in Grand Marais, Minnesota, on the north shore of Lake Superior. He earned a B.A. with highest honors from Bethel University in St. Paul, Minnesota. He then attended The George Washington University Law School in Washington, D.C., where he was a Presidential Merit Scholar, and where he learned in his first semester that he wanted to practice criminal law. After law school, he moved back to his home state of Minnesota to serve as a judicial law clerk for the Honorable Sally Ireland Robertson—which narrowed his criminal law aspirations to one field: public defense. Since then, he's served in his "dream job" at the Federal Public Defender's Office for North Dakota and South Dakota. He is primarily an appellate

attorney, and—at the district court level—he specializes in (and most enjoys) researching and drafting motions to suppress.

### **Mr. Christopher Lancaster**

California State University, Sonoma (B.A., Economics, B.A., Political Science, 1983); Northwestern School of Law, Lewis and Clark College (J.D., 1987). Deputy District Attorney, Office of the District Attorney, Mendocino County, CA 1989 - 1995; Chief Assistant County Attorney, Office of the Clay County Attorney, Clay County, MN 1995 - 1998; Civil Litigation and CJA Federal Criminal Practice, Erickson and Hogan, PA., Moorhead, MN 1998 - 1999; Business and Civil Litigation/Franchise Law Practice/CJA Federal Criminal Practice, Stefanson Law, LLP 1999 - 2005; Assistant Federal Public Defender, Office of the Federal Public Defender, Districts of North Dakota and South Dakota 2005 - Present. In addition to franchise, business, and civil litigation, Mr. Lancaster practiced in the Districts of North Dakota and Minnesota handling federal criminal matters both privately and as a CJA Panel Attorney. In his current position Mr. Lancaster concentrates on federal criminal practice, together with appeals. Mr. Lancaster is admitted to practice before the United States District Court for the Districts of North Dakota, Minnesota, and Eastern California, the United States Court of Appeals for the Eight Circuit, and the United States Supreme Court. In addition, Mr. Lancaster is licensed in the following jurisdictions: North Dakota (active), Minnesota (active), California (inactive), Colorado (inactive), and South Dakota (pending). Mr. Lancaster is a member of the American Bar Association and other professional associations and community organizations. Mr. Lancaster and his family reside in Fargo, ND.