

Announcements

- Both CAP webinars and Brown Bags (small group trainings) will be available for MIDC CLE hours **all year long**.
- Please check this newsletter or at capwayne.org for registration links to upcoming trainings or for links to recordings.
- Trainings are limited to defense attorneys only.
 - Please email klavoy@ndsdetroit.org if you need the password for any of the recordings.

Case Law Update

- ***People v Beesley*, ___ Mich App ___ (Decided April 22, 2021) (Docket No. 348921)**
 - Officer testified about defendant's prior convictions.
 - Not error to deny mistrial when trial court offered to strike testimony and gave curative instruction.
 - Counsel cross examined about the prior convictions to show they had nothing to do with underlying case
 - Trial court referenced use of a gun at sentencing even though defendant had been acquitted of the gun charges.
 - No resentencing or *People v Beck* issue because trial court's reference to the gun was not "part of its sentencing rationale" and not "one of the 'facts and circumstances' that informed [the] sentencing decision."
- ***People v Davis*, ___ Mich App ___ (Decided April 22, 2021)(Docket No. 354927)**
 - Defendants have constitutional right to bail except in certain circumstances:
 - MCL 765.5 must give way to Const 1963, Art 1, §15.
 - Trial court did not abuse discretion by granting defendant pretrial release.
- ***People v Pagano*, ___ Mich ___ (Decided April 22, 2021)(Docket No. 159981)**
 - Anonymous tip from a 911 caller that defendant was being "obnoxious" and yelling at her children did not give rise to a reasonable and articulable suspicion that defendant was drunk.
 - This tip alone was not enough to justify a stop, and did not amount to reasonable suspicion of criminal activity.

Upcoming CAP Webinars

- **Nurses for Social Justice: SANE Exam and Medical Records 101**
 - 6/24 2:00-4:00
 - This webinar is presented by <https://www.nurses4socialjustice.org>
 - Learn the basics of medical reports, information about SANE exams, and other important behind the scenes information that would be helpful to know in defending our clients.
 - Register **HERE**
- **Tom Slovenski: Cell Tower Evidence and the Public Defender**
 - 6/30 1:00-3:00
 - In this webinar, expert Tom Slovenski with Cellular Forensics LLC will be presenting on the basics of cell phone records. What should you know? What should you look for? How might an expert help?
 - Register **HERE**

Wayne County Brown Bags (Small Group)

- **Guidelines Part 1 (Beginner Guidelines- the basics!)**
 - 5/3 2:00-3:00
 - This is the first of a two part training series on the Michigan Sentencing guidelines. It is an interactive presentation where attorneys will learn how to score the guidelines with a hands on approach. All are welcome, but this is geared to those that have never scored guidelines before or new to guidelines. This session covers the very basics. What are guidelines? What is an Offense Variable? What is a Prior Record Variable? How do you figure out the range? (and more)
 - Register **HERE**
- **Intersection of CPS and Criminal Law (Sonia Cannon Presenting)**
 - 5/6 3:00-4:00
 - Please join for a training on how our clients may be affected by CPS investigation. Discussion about the overall process and how best to advise our clients
 - Register **HERE**
- **Guidelines Part 2: (Advanced Topics)**
 - 5/10 2:00-3:00
 - This is the second of a two part training series on the Michigan Sentencing guidelines. It is an interactive presentation where attorneys will learn how to score the guidelines with a hands on approach. This session covers more

advanced topics such as: What about conduct outside of the scoring offense? What about acquitted conduct? What are common mistakes? What about OV 11, 12, and 13? And more!

- Register [HERE](#)
- **Sentencing Alternatives in Wayne County (Gabi Silver Presenting)**
 - 5/17 3:00-4:00
 - Please join for an overview of sentencing alternatives in Wayne County.
 - Register [HERE](#)

Other Upcoming Training

- **NACDL Race and the Criminal Legal System (Collateral Consequences Part 2)**
 - 4/27 4:00-5:30
 - Register and more info [HERE](#)
- **NAPD Better Jury Selection**
 - 5/18 1:00-3:00
 - Learn how to reap the rewards of jury selection by addressing the challenges of the process. This webinar will discuss law, strategy and questioning techniques.
 - Register [HERE](#)
- **SADO Jail and Pretrial Task Force: Update for Defenders on the New Laws**
 - 5/18 3:00-4:00
 - This training will cover the 20 criminal justice bills signed in 2021 with a focus on appellate practice.
 - Register [HERE](#)
- **NAPD More Than Just A Number: Risk Assessment Instruments and Criminal Justice Decision-Making**
 - 5/20 1:00-2:30
 - This webinar will present attendees with information about risk assessment tools and how they are used in criminal justice decision-making. Attendees will learn some of the basic logic behind risk assessment tools, potential advantages and disadvantages of this type of information in criminal defense, how bias might influence risk assessment, and possible strategies to challenge unfavorable risk assessment.
 - Register [HERE](#)

- **SADO Through the Eyes of a Child: *Miranda* and Statement Suppression in Juvenile Court**
 - 6/8 2:00-4:00
 - Understand how to apply the law when challenging the admissibility of a youth's statement. Explore state and federal constitutional, statutory, and rule-based interpretations of the Miranda doctrine. Address the impact of adolescent development on voluntariness of statements and capacity of children to knowingly, intelligently, and voluntarily waive Miranda rights.
 - Register [**HERE**](#)

- **Keeley Blanchard Sentencing Advocacy Workshop #5**
 - 7/9 9:00-4:00 and 7/10 9:00-4:00 (with 1 hour breaks for lunch both days)
 - 12 hours of MIDC approved skills credit
 - Register [**HERE**](#)