



NBPA

The National Black Prosecutors Association

REGISTRATION JULY 7 - AUG 2
blackprosecutors.org

Thursday, August 19, 2021

DOMESTIC VIOLENCE SEXUAL ASSAULT FORUM

37TH ANNUAL NBPA CONFERENCE



Sponsors



Thursday, August 19, 2021

Domestic Violence Forum Program



OVERCOMING BIAS IN PROSECUTING LGBTQ+ DOMESTIC VIOLENCE CASES

This workshop will explore biases in the criminal justice system associated with same gender and/or same sex criminal offenders and victims of crimes. The presentation will examine and discuss the difficulties that can arise in prosecuting domestic violence cases in the LGBTQ+ community. Additionally, the difficulties and unique challenges that same-sex/LGBTQ+ victims face when navigating the criminal justice system including past experiences with police/law enforcement, not being believed due to LGBTQ+ identity, lack of LGBTQ+ specific resources, and other roadblocks that LGBTQ+ people face when participating in the criminal justice system will be discussed. The panel will also address ways practitioners can better serve LGBTQ+ people including victims, witnesses, and defendants.



EFFECTIVE USE OF TECHNOLOGY IN BRINGING YOUR HUMAN TRAFFICKING CASES TO LIFE

This program will explore how technology plays a role in Human Trafficking related investigations and prosecutions. Additionally, there will be a discussion on the services and cooperation Verizon Wireless can offer to law enforcement agencies working these types of cases.

Thursday, August 19, 2021

Domestic Violence Forum Program



CRIMINAL JUSTICE IN THE #METOO ERA: THE COSBY PROSECUTION

The first high-profile sexual assault prosecution in the #MeToo era spanned more than three years from the re-opening of the investigation to sentencing. Now, the sexually violent predator sits in a cell. During those three years, there were two trials, scores of motions and hearings, nearly two dozen criminal defense attorneys, and a variety of unique issues related to the presentation of evidence. This case study will focus on some of the most impactful decisions made in the Cosby case such as reopening the investigation, calling multiple prior victims to testify, the use of experts to dismiss and contextualize common rape myths (especially involving known offenders), the challenges of trying the case twice under an international microscope, and the critical value of having the same detective involved from the first investigation in 2005 all the way through conviction in 2018.

An examination of this complex prosecution has special meaning in a world where powerful men are finally being held to account for what is often years or decades of sexual abuse. Since Cosby's arrest, conviction, and sentencing, jurisdictions across the country have built similar cases such as those involving movie mogul Harvey Weinstein and music artist R. Kelly. This case study will draw parallels between these high-profile prosecutions and give the audience an understanding of what to expect and how traditional roadblocks in such cases may be avoided. The case study is dynamic and interactive, inviting audience participation and encouraging listener engagement throughout.

As a result of this session, participants will be better able to:

- Define and recognize common "rape myths" so as to formulate legally and logically sound responses to rebut the underlying false premise of each myth.
- Examine and explain the many complex factors that impacted the decisions in this prosecution, in particular the decision to re-open the investigation and re-try the case after the first trial resulted in a hung jury.
- Understand and articulate the important decisions and circumstances that led to an ultimately successful prosecution that was the first of its kind in the #MeToo era.



KRISTEN M. GIBBONS FEDEN

Associate, Stradley Ronon

Kristen M. Gibbons Feden is a nationally acclaimed litigator and concentrates her practice on institutional responses to sexual and gender-based harassment and abuse, ethical concerns, discrimination, and other misconduct. Kristen represents clients in general and complex litigation matters, including sexual harassment, employment discrimination, and Title IX and corporate regulatory compliance, as well as clients in the financial services industry.

Prior to joining Stradley Ronon, Kristen served as Captain of the Elder Abuse and Domestic Violence Units, as well as a member of the Sex Crimes Unit at the Montgomery County District Attorney's Office. As assistant district attorney of Montgomery County, Pennsylvania, she regularly obtained convictions in complex physical and sexual abuse, domestic violence, homicide, child pornography, elder abuse, financial exploitation, aggravated assault, and other cases; often assisting young and vulnerable survivors, including survivors with intellectual disabilities and survivors of incest. Kristen was and remains an active member advocating with various organizations to develop and strengthen effective strategies to combat violent crimes and reduce the overrepresentation of minority youth in the juvenile justice system. She is widely known as being a fair, compassionate and fierce advocate, and has been nationally awarded and recognized for her advocacy and litigation skills. Kristen's most notable case was *Commonwealth v. William H. Cosby*, where she played a critical role in the first trial, which resulted in a hung jury, and the second trial where a conviction was attained. In both, Kristen drafted and litigated pretrial motions and questioned key witnesses. In the first trial, she delivered the opening statement, and in the second trial, she cross-examined key witnesses and delivered the closing argument.



ANGIE FRYE

Angie Frye joined the Verizon legal department in 2009 and currently serves as Managing Associate General Counsel supporting Verizon's network team in 13 states. In that role, Angie handles real estate, land use, zoning, regulatory, and other legal issues relating to Verizon's network deployment. Angie also serves as Verizon's Chicago-area pro bono coordinator. Prior to joining Verizon, Angie spent twelve years at Kirkland & Ellis LLP, where she was a general litigation partner. Angie is a Board Member of the Legal Aid Society of Metropolitan Family Services, serves on the Chicago-Kent Law Review Alumni Board, and volunteers at the Domestic Violence Legal Clinic in Chicago. Angie graduated from Northwestern University and Chicago-Kent College of Law and lives in Chicago with her husband and four sons.



KRISTA PETERSON

Krista Peterson is an Assistant State's Attorney at the Cook County State's Attorney's Office in Chicago, Illinois, a position she has held for 18 years. Ms. Peterson is currently assigned to the Sexual Assault and Domestic Violence Unit of the Felony Trial Division, and has been for the past seven years. Ms. Peterson was hired by the State's Attorney's Office in 2002 upon graduating from DePaul University College of Law and has held positions in Criminal Appeals, Misdemeanors, Felony Review, Preliminary Hearings and the Felony Trial Division. Ms. Peterson has devoted over half of her career to the prosecution of domestic violence cases. She is a founding member of WISE (Women's Insight and Support through Education), an Employee Resource Group at the State's Attorney's Office and leads their Mentorship Committee. Ms. Peterson holds the office of Vice President of the State's Attorney's Office's LGBT+ Employee Resource Group. She has prosecuted hundreds of domestic violence and sexual assault cases. She has tried over forty jury trials and litigated hundreds of bench trials and motions over the course of her career. She has presented trainings on domestic violence and sexual assault in both the Chicagoland Area and nationally.



MARY ANNA PLANEY

Mary Anna Planey is an Assistant State's Attorney and currently the Supervisor of the Human Trafficking Unit at the Cook County State's Attorney's Office in Chicago, Illinois. In this role, she prosecutes Human Trafficking related cases. Prior to joining the Human Trafficking Unit in January of 2013, she worked in the Felony Trial Division. Mary Anna has specialized in prosecuting both misdemeanor and felony domestic violence cases. She joined the Cook County State's Attorney's Office as a student law clerk in 1999 and has extensive experience working with vulnerable victims.



LEANNA RAJK

Leanna Rajk is an Assistant State's Attorney with the Cook County State's Attorney's Office in Chicago, Illinois and has been a prosecutor for 23 years. She is currently assigned to the Sexual Assault and Domestic Violence Division where she is a senior prosecutor and an accomplished trial specialist. She has prosecuted over a 1,000 cases in her career and more than 70 of those cases were presented to a jury. During her tenure with the State's Attorney's Office, Ms. Rajk has also worked in the Felony Trial Division and Juvenile Division. Ms. Rajk has prosecuted over 50 serial rapists. Although some of the victims were strangers who were literally ripped off the street, the majority of her cases focus on victims who have special needs such as intellectual disabilities, substance abuse issues or live marginalized lifestyles. Ms. Rajk has experience lecturing to law enforcement agencies and community groups on a host of issues surrounding sexual violence and legal issues.



STEWART RYAN

Stewart Ryan is an experienced trial lawyer with the law firm Laffey, Bucci & Kent where he represents survivors of sexual assault and other crimes in the civil justice system. Stewart previously served as Assistant Chief of the Trials Division in the Montgomery County District Attorney's Office where he prosecuted a number of high-profile cases including Commonwealth v. William H. Cosby Jr. During the Cosby case, Stewart was a key asset at each and every stage. He cross-examined the defense's key witness in the case's first hearing which was called to decide whether the accused serial sexual predator could ever be prosecuted. After that cross examination allowed the case to move forward, Stewart wrote and argued crucial pre-trial motions. At trial, he conducted the examination of multiple prior victims, a key expert witness, two critical cross examinations, and made the final closing argument before the jury returned its unanimous verdict of guilty on all charges.

As a prosecutor, Stewart specialized in prosecuting and investigating crimes of sexual violence involving adults and children, physical child abuse, internet exploitation, and domestic violence. He received numerous commendations for his courtroom successes and tireless efforts on behalf of survivors.



NBPA

The National Black Prosecutors Association

REGISTRATION JULY 7 - AUG 2
blackprosecutors.org



37TH ANNUAL NBPA CONFERENCE

DV/SEXUAL ASSAULT FORUM AGENDA

THURSDAY, AUGUST 19, 2021

12:00 - 12:15 **Welcome / Introduction**

12:15 - 1:15 **Overcoming Bias in Prosecuting LGBTQ Domestic Violence Cases**
Leanna Rajk and Krista Peterson

1:15 - 1:25 **Break**

1:25 - 2:30 **Effective Use of Technology in Prosecuting Domestic Violence and Human Trafficking Cases**

Mary Anna Planey - States Attorney, Chicago

Angela Bonfield Frye - Managing Associate General Counsel, Network Verizon

2:30 - 2:40 **Break**

2:40 - 4:00 **Criminal Justice in the #MeToo Era: The Cosby Prosecution**
Kristen Feden and Stewart Ryan

4:00 - 4:15 **Closing Remarks from President Erika Gilliam Booker**