

November 1, 2007

Dear Panelist,

This letter covers the following topics:

Immigration Hotline

Important New Links on Our Website

Defective Supporting Depositions

January CLE Program

OCA's Limited Criminal History Reports

Grand Jury Dismissal Checklist

Language Skills Inquiry

Additions To Experts' Panel

IMMIGRATION HOTLINE

The New York State Defenders Association runs many projects. One of them is the Immigrant Defense Project. This project is devoted to defending the rights of immigrants facing criminal or deportation charges. There is a free telephone hotline available for defense attorneys to call, offering legal support and guidance on criminal and immigration law issues. **The number is 212.725.6422.** Please make a note of it and use it whenever the need arises.

IMPORTANT NEW LINKS ON OUR WEBSITE

I have added three new links to our website (Nassau18B.Org). You can find these links by clicking the “Additional Pages” section on the left side of our homepage, under the “Welcome” box, and then clicking on “Hotlinks”. **The first link is to the New York State Defenders Association homepage.** This site contains a wealth of information for the criminal defense practitioner, including hot topics and breaking news on items and cases of current interest to the criminal practitioner.

The second link is to the New York State Defenders Association’s Expert Witness Database. This list can help you locate an expert in almost any area, by area of expertise, name or key word. Note however, that as an 18B attorney, you are only permitted to use experts on our approved Experts Panel. This statewide list should thus only be used by you if you need some type of expert that is not currently listed on our panel. In such case, assuming you find a suitable expert on the statewide list, you should first call me so that I can arrange to have that person become a member of our Experts’ Panel.

The third link is to the Immigrant Defense Project of the New York State Defenders’ Association (discussed above). This site has detailed information and help concerning immigrants facing criminal charges or possible deportation.

DEFECTIVE SUPPORTING DEPOSITIONS

As you know, when a defendant is issued a Simplified Traffic Information, he/she is entitled to demand a Supporting Deposition pursuant to CPL § 100.25 (2). Panelist Tom Kenniff has successfully attacked the sufficiency of certain supporting depositions by arguing that the electronically generated depositions used by some police do not meet the requirements of §100.25 (2). Tom has provided a set of his motion papers on this topic and they are enclosed. Our thanks to Tom for his thoughtfulness.

JANUARY CLE PROGRAM

In my last (October 3rd) letter, I advised you that Hofstra Law School was presenting a three day seminar in January, 2008 on the suppression of evidence. I noted that this program offers 24 CLE credits and is free to 18B Panelists but is limited to 15 participants. I received notices from 41 of you that you wished to attend. It is obvious therefore, that not all who are interested in taking this course can do so. I have been talking to personnel from Hofstra Law and in the near future will be in touch with each of

the 41 Panelists who responded to advise who has been selected to participate in this course. Your patience is appreciated.

OCA'S LIMITED CRIMINAL HISTORY REPORTS

Panelist Paul Delle reminds us that, in response to a recent lawsuit, (Alexander v. New York State Office of Court Administration) O.C.A. is no longer including in the criminal history reports it sells to the public, any information about criminal cases where the disposition involves only a violation. This policy covers both cases where the original charge was a violation and those where the original charge was a misdemeanor or felony but ended with a conviction to only a violation.

GRAND JURY DISMISSAL CHECKLIST

Although motions to inspect and dismiss indictments are made blindly, I thought it might be helpful to enclose a Grand Jury Checklist obtained from the New York State Defenders Association. In a given case, where you have reason to believe that one or more of these items might be involved, you could perhaps tailor your supporting papers to refer to such items rather than merely submitting boilerplate. In light of the recent rash of problems we've seen with Nassau County Grand Juries, I thought this paperwork was worth including.

LANGUAGE SKILLS INQUIRY

If you can speak a foreign language, please complete the enclosed form and fax it back to me at your earliest convenience. Thank you.

ADDITIONS TO EXPERTS PANEL

The following Experts have been added to our Experts Panel.

Accident Reconstruction

John G. Whittall
3280 Sunrise Hwy. Suite 212
Wantagh, N.Y. 11793
631.513.7987
Fax: 516.706.0283
E-mail nowhittall@AOL.com

**Anger Management
Psychology/Social Work
Substance Abuse**

William Solz
C/o Apex Counseling, LCSW, P.C.
710A Prospect Place
Bellmore, N.Y. 11710
783.8358

**Firearm Identification / Toolmark Identification
Shooting Incident Reconstruction**

Gerard Petillo
835 Mix Ave.
Suite T 1
Hamden, Ct. 06514
646.996.4301

Forensic Psychology / Forensic Social Work

Dr Michael Steinberg
26 Berry Hill Road
Syosset, N.Y. 11791
516. 921.2327

Investigations

Ernest Borrelli
Sentinel Private Investigations Inc.
P.O. Box 161
Merrick, N.Y. 11566
516.807.2301

Nelson J. LaSalle
100 Lafayette Street Suite 401
New York, N.Y. 10013
917.991.1684
Fax: 718.904.9081

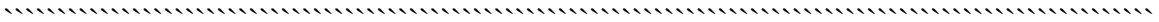
William M. Newman
Triangle Investigations Bureau Inc.
223 S. Country Rd.
Bellport, N.Y. 11713
516.901.3360
516.801.2172

Psychology / Social Work

Dr. Robert Bloch
585 Stewart Ave.
Suite 440
Garden City, N.Y. 11530
516.222.8954
Fax: 222.8957

Toxicology / Pharmacology

Dr. Richard Stripp
132 Cove Road
Huntington, N.Y. 11743
516.635.9916



As always, I thank you for your continued service to the 18B Panel.

Very truly yours,

Patrick L. McCloskey

LANGUAGE SKILLS FORM

I SPEAK THE FOLLOWING LANGUAGE:

SOMEWHAT _____ CONVERSATIONALLY _____ FLUENTLY _____

PRINT NAME

PLEASE FAX TO 873.8032