

Subject: [Test] IPS December Updates (Trainings and More)

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From: AEquitas

To: C. Ross



RECRUITING THE GEN Z PROSECUTOR

NOVEMBER 2022



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PROSECUTION
SOLUTIONS

Recruiting the Gen Z Prosecutor

This article, written by the Prosecutors' Center for Excellence, provides guidance for offices seeking to recruit the next generation of prosecutors. Based on discussions with law school career services professionals, prosecutors, prosecution recruiters, and law students, the resource contains practical strategies that can be utilized by offices of any size.



Cellebrite Premium: Vanderburgh County Cyber Crime Task Force Digital Transformation (Webinar Recording)

On November 8th, Vanderburgh County Cyber Crime Task Force and Cellebrite staff presented a webinar on digital forensic transformation. The discussion focused on budget strategy, technical insights, and best practices for making quick access to challenging digital evidence attainable.

View the one hour recording [here](#).

STRATEGIES IN FOCUS



Racine County District Attorney's Office (RCDAO)

In response to a significant increase in gun violence, the [Racine County District Attorney's Office \(RCDAO\)](#) in southeastern Wisconsin is collaborating with the [Racine Police Department \(RPD\)](#) and the [Bureau of Alcohol, Tobacco, Firearms, and Explosives \(ATF\)](#) to create a Violent Crimes Task Force. As part of this task force, the RCDAO hired a prosecutor dedicated to investigating and prosecuting gun-related offenses. The RPD obtained [National Integrated Ballistic Information Network \(NIBIN\)](#) equipment, which generates investigative leads that can link firearms cases and offenders.

Over the course of its IPS project, RCDAO has made significant inroads into the city's gun violence problem. With the resources and dedicated expertise of the Task Force, RCDAO has been able to process ballistic evidence in new cases as they arise—in fact, its NIBIN Center is the only Center in the state of Wisconsin that does not have an evidentiary backlog. The jurisdiction's expanded capacity also enables it to process more evidence through NIBIN and pursue more leads, enabling it to make more connections between guns and offenders. For example, a firearm recovered during a November 2021 domestic violence arrest returned a NIBIN hit to the 2019 death of a RPD officer—a case in which officers had previously been unable to locate the murder weapon. In another recent case, the Violent Crimes Task Force executed a search warrant based on a NIBIN lead that revealed a gun manufacturing ring; Racine police [recovered multiple illegal firearms and dozens of gun parts and ammunition](#).

NIBIN has also enabled the RCDAO team to collaborate on cases outside of its jurisdiction. Firearms, bullets, and shell casings processed through crime scenes or otherwise picked up in Racine can generate leads to cases in nearby counties and cities, and analysts in Racine have been able to communicate those links directly to the detectives in those cases. The RPD has also trained officers in other jurisdictions to expand their capacity to collect evidence, resulting in more evidence processed through NIBIN. This collaboration among police departments enables more firearms cases to be solved and prosecuted.

These early successes demonstrate the importance of technology, dedicated expertise, and cross-jurisdictional collaboration to ensure the swift processing of evidence and to resolve cases.

CASE HIGHLIGHT

[United States v. Dubin, 27 F.4th 1021 \(5th Cir. 2022\)](#)

The Supreme Court has granted certiorari in an appeal from the 5th Circuit to examine the meaning of the word “use” under 18 U.S.C. § 1028A(a)(1). This aggravated identity theft statute provides a sentencing enhancement for the commission of enumerated federal felonies when the offender “knowingly... uses, without lawful authority, a means of identification of another person.”

Dubin involves a fraud scheme in which the defendants, who ran a psychological services center, were alleged to have fraudulently billed Medicaid by misrepresenting the services provided and padding their reports of patient hours spent by certified providers to receive higher reimbursements. In submitting forms for reimbursement, David Dubin, one of the defendants in the case, used the Medicare Identification Number of a patient, known as Patient L, who was treated by the center. The defendants were convicted of several offenses, including conspiracy to commit healthcare fraud, and on the part of David Dubin, aiding and abetting and aggravated identity theft.

In reviewing the sufficiency of evidence for the aggravated identity theft charge, the 5th Circuit examined what it means to “use” the means of identification of another person under 18 U.S.C. § 1028A(a)(1). Looking to other Courts of Appeal for guidance, the *Dubin* Court reviewed the 6th Circuit’s holding in *United States v. Medlock*, 792 F.3d 700 (6th Cir. 2015), which narrowly construed the word “use.” According to this interpretation, simply submitting a form containing identifying information of a treated patient is not “using” that identifying information for purposes of § 1028A(a)(1); the misrepresentation was not of the identity of the patient, but of the services rendered. However, the 5th Circuit was more persuaded by case law from the 11th Circuit, which held that the word “use” in § 1028A(a)(1) more broadly forbids employing another’s name to one’s service. The 5th Circuit ultimately decided that since Dubin had employed Patient L’s identifying information on a form that made false reports to Medicaid, evidence was sufficient to support his conviction for aggravated identity theft.

When this case proceeds to the Supreme Court in the next term, the Court will contend with the circuit split regarding what it means to “use” the identity of another in commission of a crime.

UPCOMING TRAININGS

December 15, 2022, 2 PM ET — 4 PM ET: AEquitas' Office Hours — Join AEquitas on the third Thursday of every month to discuss your questions regarding the prosecution of intimate partner violence, sexual violence, human trafficking, and stalking with experienced prosecutors and other participants in the field.

Join us on December 15th, 2022, to discuss **investigating and prosecuting cases of intimate partner sexual assault**. The conversation will focus on 1) identifying the intersections of domestic violence and sexual assault; 2) tactics for identifying sexual violence in the context of an intimate partner relationship; and 3) responding to defense strategies.

If your office uses promising strategies to investigate and prosecute intimate partner sexual assault, or could use some help in this area, then this is the Office Hours for you! This is NOT a webinar, but a chance to meet our experts to converse, brainstorm, and share best practices or challenges in a national conversation.

[Register here.](#)





December 20, 2 PM ET — 3:30 PM ET: A Course of Exploitation: The Intersection of Stalking and Sex Trafficking

Presented by Jenn Dolle, Attorney Advisor, and Jennifer Landhuis, SPARC Director

When offenders engage in a course of conduct that includes sexual exploitation, they perpetrate dangerous and often misidentified and misunderstood crimes, including stalking and sex trafficking. Both crimes are highly contextual in nature and require a nuanced analysis of the relationship between the offender and the victim, as well as the various tactics utilized by abusers to control, intimidate, and traumatize victims with impunity. Stalking behaviors are used to force or coerce individuals to engage in commercial sexual activities or to intimidate and prevent them from engaging with the criminal justice system.

Presenters will explore the dynamics of stalking and sex trafficking. They will focus on the importance of understanding the context in which both crimes occur and the common tactics used by perpetrators. This presentation will provide strategies to improve the identification of these “course of conduct” crimes, increase offender accountability through successful investigations and prosecutions, and minimize further harm to victims and survivors by ensuring they are connected with meaningful services and tools to plan for their safety.

[Register here.](#)

This project was supported by Grant No. 15JOVW-21-GK-02220-MUMU and 2017-TA-AX-K074 awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this program are those of the author(s) and do not necessarily reflect the views of the Department of Justice, Office on Violence Against Women.

A poster for a national convening. The background is a dark, moody image of palm trees. The title is in large, bold, white and red text. Below the title is a white horizontal bar. The description is in white text. The date is in a red box. The logos are in a grey box at the bottom.

National Convening: **Human Trafficking in Illicit Massage**

The two-day gathering will provide a collaborative space to learn from professionals across the anti-trafficking field, along with expert training on promising and effective strategies to combat human trafficking in illicit massage businesses.

TheNetworkTeam.org/Conference/Main

**January
11-12,
2023**

THE NETWORK
AEQUITAS

Thai CDC

NATIONAL ASSOCIATION OF ATTORNEYS GENERAL

CALIFORNIA MASSAGE THERAPY COUNCIL

GARDEN OF HOPE

National Convening: Human Trafficking in Illicit Massage

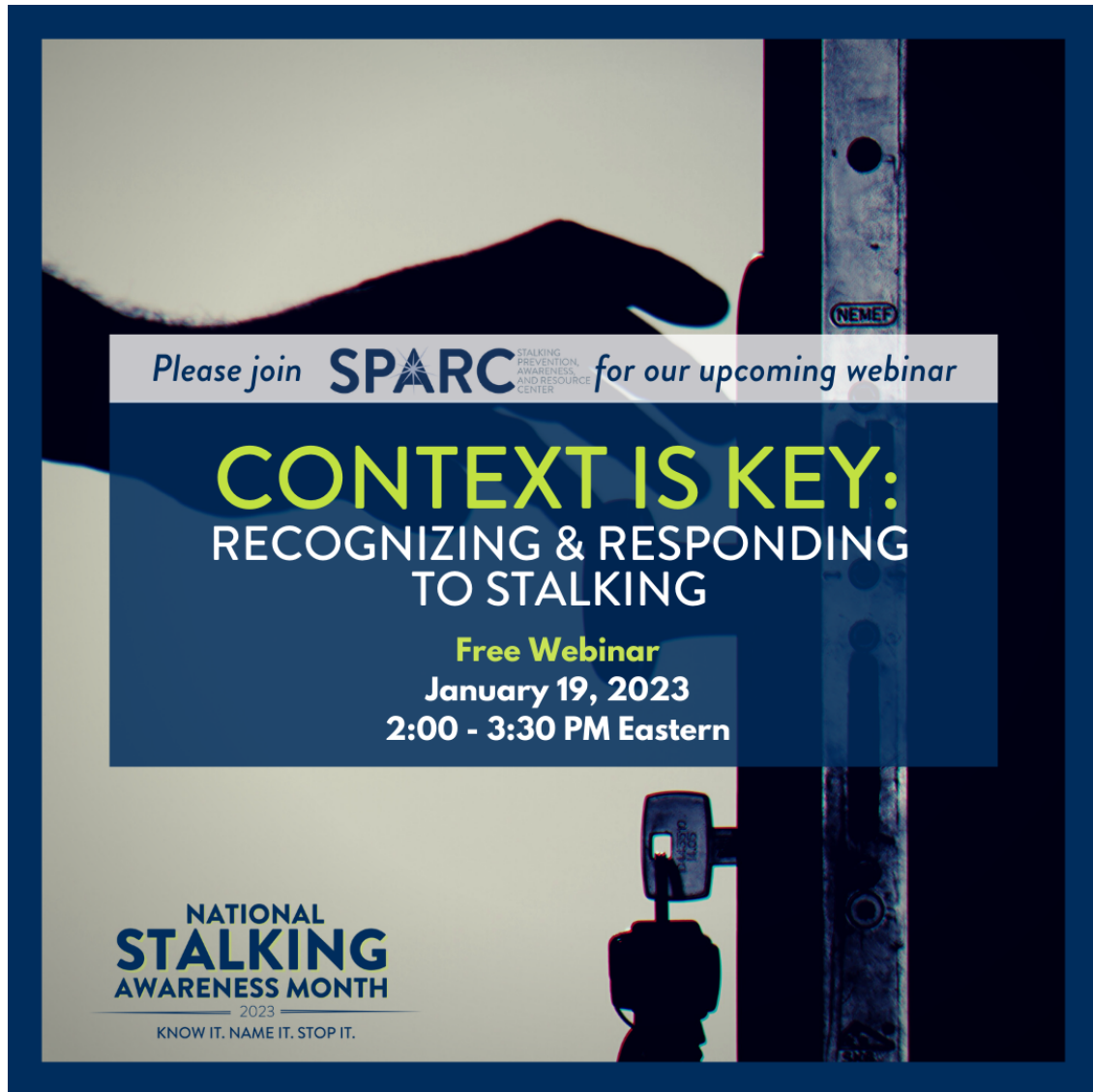
January 11—12, 2023 in Los Angeles, California

AEquitas is partnering with The Network Group, Inc., National Association of Attorneys General, Thai CDC, California Massage Therapy Council, and Garden of Hope to host a Convening on Human Trafficking within the Illicit Massage Industry. This is an opportunity for a range of stakeholders to learn, challenge themselves, and discuss promising practices with professionals from a variety of fields, including researchers, law enforcement, government agencies, and victim services.

The event will be held in person in Los Angeles, CA, January 11-12, 2023.

[Register here.](#)

AEquitas' participation in this convening is supported under 15POVC-21-GK-03263-HT, awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this presentation are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.



January 19, 2023, 2 PM ET — 3:30 PM ET: Context is Key: Recognizing and Responding to Stalking

Presented by Dana Fleitman, SPARC Training and Awareness Specialist

Stalking is criminal, traumatic, dangerous, and often misunderstood. In honor of National Stalking Awareness Month, this webinar provides an introduction to the crime of stalking, focusing on the definition, prevalence, dynamics, behaviors and

intersections with other crimes (including intimate partner violence). This recurring webinar is offered quarterly to provide foundational knowledge on the crime of stalking.

[Register here.](#)

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FUNDING OPPORTUNITIES

[Rural Violent Crime Reduction Initiative \(RVCRI\)](#)

Funded by the Bureau of Justice Assistance (BJA), the Rural Violent Crime Reduction Initiative (RVCRI) is an effort to provide funding and assistance to rural law enforcement agencies seeking to reduce violent crime and address problems associated with violent crime. Funding and support are available for implementing violent crime reduction strategies, improving investigations, improving services to victims, and for enhancing collaboration between local stakeholders. The [RVCRI Microgrant Application](#) will always remain open; however, the first deadline for application review is **December 15, 2022**.



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