SUMMARY: “To Bill Brasky... who could eat a hammer and take a shotgun blast standing!” — skit from Saturday Night Live

This program provides valuable information, strategies and techniques for attorneys practicing in criminal courtrooms in North Carolina.

- The EC/IR II may be the most important “witness” in DWI cases. Learn more about how (and whether) it works, including the most common battleground issues in admissibility, reliability and accuracy of this machine/instrument.
- It isn’t enough to know the judicial punishments associated with your clients’ charges. You need to be aware of the real life collateral consequences associated with a conviction.
- Technology is changing law enforcement more and more every year. Get up-to-date on what new technologies officers are using and how these technologies might play out in the courtroom.
- It is well-established that lawyers have twice the rate of alcohol and other drug problems as the general population. Hear about one lawyer’s struggle with addiction and the help available out there for each of us.
- Our appellate courts have been busy again this year. Get a full 2017 criminal case law update.
- The juvenile court system is about to get a lot more crowded. Learn the ins and outs of the juvenile system and what sets it apart from criminal court.
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### Program Agenda

**Friday, February 2, 2018, 8:30a–4:30p**

<table>
<thead>
<tr>
<th>Time</th>
<th>Session</th>
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<tr>
<td>8:30a</td>
<td><strong>Registration and Continental Breakfast</strong></td>
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<td><em>(included at the Live program only)</em></td>
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<td><em>Sponsored by First Step Services LLP</em></td>
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<tr>
<td>8:55</td>
<td><strong>Welcome and Introductions</strong></td>
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<td>William L. Fay and William R. “Rob” Heroy</td>
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<td>9:00</td>
<td><strong>Collateral Consequences</strong></td>
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<td>Robert Pochapsky</td>
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<td>After accepting a plea or being found guilty, your criminal clients are subject to civil sanctions known as collateral consequences. These sanctions often remain in place long after the sentence is completed. Yet the courts, defense attorneys and defendants are largely unaware of them. Learn how to quickly uncover, understand and advise your clients about sanctions that must or may attach to an adjudication of guilt — before you advise whether to accept a plea offer or go to trial. Changes in North Carolina's expungement statutes and procedures for Motions for Appropriate Relief are also discussed.</td>
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<td>10:00</td>
<td><strong>Juvenile Law Primer</strong></td>
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<td>Meghan Lock</td>
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<td>The push to raise the age in North Carolina has been a long time coming, but what does it really mean for attorneys practicing in criminal courtrooms? Many 16- and 17-year-old children will still find their way into trouble. Learn how the juvenile court system operates and get a nuts and bolts primer on how to effectively represent clients in the juvenile court system.</td>
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<tr>
<td>11:00</td>
<td><strong>Break</strong></td>
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<td>11:15</td>
<td><strong>Surveillance Technology</strong></td>
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<td>Elliot S. Abrams</td>
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<td>Over the past several years, the government has increasingly taken advantage of highly intrusive and highly clandestine surveillance techniques. Stingrays, for example, are a powerful but little-understood tool for law enforcement surveillance which mimic a cell phone tower and allow state or federal actors to quickly track an individual through their cell phone. Agents frequently obfuscate their use of the technology through parallel constructions or otherwise. Elliot Abrams has extensively litigated challenges to the use of the Stingray to great success. This portion of the CLE is designed to teach practitioners to recognize the use of this and similar technology and flip it to their advantage.</td>
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<tr>
<td>12:15p</td>
<td><strong>Networking Lunch</strong> <em>(included at Live program only)</em></td>
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**Criminal Justice Section Annual Meeting**

Bernard M. Desrosiers, Allman Spry Leggett Davis & Crumpler PA, Winston-Salem, 2017–2018 Section Chair, presiding
The ECIR II, Witness for the Prosecution
F. William “Bill” Powers

DWIs often turn on the “blow.” Our legislature wants our triers of fact to accept the numbers that come out of this machine/instrument so badly that they wrote it into the statute. Our Courts determined that in doing so, the legislature was merely codifying the common law threshold for prima facie evidence of a defendant’s alcohol concentration. The trier of fact remains free to accept or to question the ECIR II, making it one of the key battlegrounds in DWI cases. Does this work? If so, how?

Substance Abuse†
William D. Young IV

We work in a stressful field. Lawyers have twice the rate of alcohol and other drug problems as the general population. Lawyers working in criminal law are especially at risk. Hear about one lawyer’s struggle with addiction and the help available out there for each of us.

Case Law Update
Jan E. Pritchett

A lot can change in a year. Jan Pritchett tells you everything that has changed in North Carolina criminal practice in this 2017 case law update.

Adjourn

† Indicates portion providing Substance Abuse/Mental Health credit
Program Information

Planners
- William L. Fay, Fay & Grafton, Asheville
- William R. “Rob” Heroy, Goodman Carr Laughrun Levine & Greene PLLC, Charlotte

Speakers
- Elliot S. Abrams, Cheshire Parker Schneider & Bryan PLLC, Raleigh
- Meghan Lock, Buncombe County District Attorney's Office, Asheville
- Robert Pochapsky, Meece-Lockamy Law Firm, Durham
- Jan E. Pritchett, Schlosser & Pritchett, Greensboro
- William D. Young IV, Hatch Little & Bunn LLP, Raleigh

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Contact hotels directly for reservations at the special NCBA room rate. Rates are based on availability and may sell out.

- Embassy Suites, 201 Harrison Oaks Boulevard, Cary  
  Nightly Rate: $169 single/double and includes evening manager’s reception and full, cooked-to-order breakfast  
  Reservations: 919.677.1840 or www.tinyurl.com/NCBA-Embassy  
  NCBA Corporate Account Special Rate Code: 2691626  
  Please note: The rates may vary according to guest room availability.

- TownePlace Suites by Marriott, 120 Sage Commons Way, Cary  
  Nightly Rate: $114 studio queen with sleeper sofa (Sunday–Thursday) and includes complimentary hot breakfast. All rooms have a fully equipped kitchen.  
  Reservations: 919.678.0005 | Ask for the NC Bar Association corporate rate.

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“Eat a Hammer and Take a Shotgun

Blast Standing”

2018 Criminal Justice Section Annual Meeting

LIVE • LIVE WEBCAST
Friday, February 2, 2018
NC Bar Center, Cary

CLE CREDIT: 6.0 Hours
Includes 1.0 Hour Substance Abuse/Mental Health credit
Qualifies for North Carolina State Bar Criminal Law Specialization Credit

VIDEO REPLAYS, UPDATES & REGISTRATION
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“I look forward to this every year. I get lots of useful information, and being an attorney who practices in the hinterlands, enjoy the stories from down east where so much is going on.”
- Attendee, 2017 Criminal Justice Law Section Annual Meeting

“Gives me insight on what other practitioners across the state are doing. This yearly program and the IOG updates help me stay knowledgeable since I don’t have time to read as much as I would like.”
- Attendees, 2017 Criminal Justice Law Section Annual Meeting