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Wed, 6/30 3:53AM 5:01

SUMMARY KEYWORDS

criminal defense lawyer, cle, client, psi, pre sentence investigation, critique, case, specifically, sentence, present, reports, understand, theory, judge, opportunity, family, seminar, child pornography, work, pre

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Good evening, my name is Mark silver. And this evening, I'm going to be presenting a CLE, which is completely new to me. I've presented dozens of CLE to literally 1000s and 1000s of lawyers throughout the United States. But this is the first time I'm presenting a CLE, specifically on the subject, which is the pre sentence investigation, and how to critique it. This, of course, pertains to our clients who are defendants in criminal cases. And before they have the opportunity to plead guilty, before they have the opportunity to be sentenced, of course, there is the opportunity by the probation department to interview these clients as a means to better understand their needs and who they are. Many times these pre sentence investigation reports are just inadequate, and they do not adequately represent or reflect our client's needs, their histories, background, mental health, family issues, and so on. And for that reason, I developed the CLE specifically for criminal defense lawyers, so that the criminal defense lawyer can better understand where the weaknesses are in these psi eyes, and how to critique them. But more importantly, what essential tools are available strategic tools are available for the criminal defense lawyer in understanding these psi eyes, to better grasp nuances about our client's background, mental health, family, and so on, so that the criminal defense lawyer can better advocate for the client for pre sentence purposes, for pre sentence purposes with the prosecutor, Judge, and so on. I've been working in forensics since 2002. I've done well over 2000 cases now, for criminal and immigration lawyers, although also a few cases for family and personal injury lawyers. As I said, I've been fortunate to present dozens of CLE to perhaps 10,000 lawyers at this point, I work in New York City in Manhattan. And today, I think I presented at something which is relevant for all of us. It's particularly relevant on this particular day, it's November 13 2018, when this is being recorded, because there's now very serious talk about sentence reform, and whether or not will be passed specifically with regard to how our clients are sentenced, particularly with regard to allowing judges a greater sense of freedom. It's all the more relevant therefore, that we have a better understanding of how these psi

are assembled, but more importantly, how to critique them how to present to the judge who has more freedom these days, especially in the post Booker era, so that the judge himself has a much better grasp and a more complete grasp of who our clients are. Therefore, you know, the title of today's CLE is pre sentence investigation report, critique its critique of the psi eyes, and specifically mitigation as counter strategy in a child pornography case. I wanted to really rather than just talk theory to also apply how these peace sentence reports are used and how they're at times inadequately prepared for specific kinds of cases in the case I'd like to look at today is a child pornography case. Although I have it on a later slide, I really want to emphasize I try as best as possible to integrate theory and practice. And therefore, any criminal defense lawyers who are interested in sample reports, sample mitigation reports of child pornography case have to in particular here, please, after the seminar or at another time, do not hesitate to email me with your full information just so I know it's not spam, of course, put your name, title where you work address and so on, and request one of these cases, they are of course, fully redacted. So there's no personal information and no identifying information. But I think it really helps to integrate theory and practice. The outline of the seminar today will be a general introduction. I'm then going to try and provide some explanation of why this CLE is so important right now. I want to give a general overview of what the pre sentence investigation looks like that is the criteria what it entails a psi by the government, then specifically, and the next two sections are really crucial specifically to look at what is missing from the psi to really critique it. Then I'd like to look at evaluation tools that can be used by the criminal defense lawyer strategically to better understand the client to critique the psi, and cumulatively to better advocate for