



# WELCOME

## Prosecutors' Center for Excellence Pop-Up Developing Diversion Programs

February 4, 2021



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## Join us for four 15-minute presentations on Developing Diversion Programs

**2:00 pm – 3:00 pm (Eastern Standard Time)**

The Presenters will facilitate the breakout groups.

### **Planning for Diversion – Survey of Resources (New York County, NY)**

- Presenter: Nicole Ortsman-Dauer (Deputy Chief of the Trial Division)

### **Felony Pre-Trial Intervention Program (Maricopa County, AZ)**

- Presenters: Jason Kalish (Chief of the Maricopa County Attorney’s Office Trial Division) and Patricia Cordova (Director of the Diversion Strategies Group)

### **Diversion in a Small Office (Pennington County, SD)**

- Presenter: Mark Vargo (State’s Attorney) and Erik Brings White (Co-Founder and Executive Director of the Institute of Indigenous American Legacy)

### **Justice Restoration Project (Alameda County, CA)**

- Presenter: Eric von Geldern (Assistant District Attorney)

**Followed by 1 hour of conversation/break-out groups**

**3:00 pm – 4:00 pm (Eastern Standard Time)**



# Speaker Bios



## Planning for Diversion – Survey of Resources (New York County, NY)

### Nicole Ortsman-Dauer

#### Deputy Chief of the Trial Division

Nicole Ortsman-Dauer is the Deputy Chief of the Trial Division, in Charge of Alternatives to Incarceration (“ATI”) at the Manhattan District Attorney’s Office, having previously served as Chief of the ATI Unit. She joined the Office in 2000 as a Trial Division Assistant and thereafter supervised a number of alternative-to-incarceration programs including Judicial Diversion and Manhattan Misdemeanor Treatment Court. She has developed a specialty in programmatic responses to criminal behavior and formed the ATI Unit in 2017. Most recently, she has worked on the implementation of New York’s Raise-the-Age legislation as well as other new problem-solving courts. Nicole is a graduate of University of Michigan and University of Pennsylvania Law School. She clerked for the Honorable Cheryl Pollak, E.D.N.Y. and worked as a litigation associate at Debevoise & Plimpton.



## Felony Pre-Trial Intervention Program (Maricopa County, AZ)

### Patricia Cordova

#### Director of the Diversion Strategies

Patricia Cordova is the Maricopa County Attorney’s Office (MCAO) Director of the Diversion Strategies Group. She has worked for over 30 years in Arizona’s criminal justice system, including two gubernatorial administrations. In her current role with the MCAO she oversees the development and evaluation of all diversion programs. Based on criminal justice research and data-driven analysis of MCAO diversion programs, she recommends agency operational improvements and program modifications to contracted diversion providers. Often, she provides diversion training to Deputy County Attorneys and outside stakeholders. Throughout her career she has served in a variety of leading managing positions, primarily focused on advancing effective human service system policies and programs.



## Jason Kalish

### Chief of the Maricopa County Attorney's Office Trial Division

Jason Kalish is the Division Chief of the Maricopa County Attorney's Office Trial Division. Previous to that he served as the Bureau Chief of the Training Bureau. In that role he was responsible for training for the nearly 900 attorneys, paralegals and staff in the office.

Jason graduated from Indiana University of Pennsylvania in 1993 with honors, earning a degree in criminology. He then attended the University of Arizona College of Law with the specific intent of becoming a prosecutor. During law school Jason served as an Honors Intern with the FBI and worked in various capacities at the Pima County Attorney's Office. He was sworn in as a lawyer on October 18, 1997 and then sworn in as a Deputy Maricopa County Attorney on October 20th. He has spent his entire career as a prosecutor with the Maricopa County Attorney's Office. Jason spent some time in a trial group, where he was named the Criminal Trial Division Attorney of the Year in 1999. Jason has also prosecuted gang members and repeat offenders in the Gang/ROP bureau. He spent time as a supervisor in other bureaus, including Charging/Grand Jury, Preliminary Hearings and Juvenile Crimes. Following the supervisory stints Jason returned to trial work and spent nearly ten years prosecuting homicides; first in the Family Violence Bureau and then the Homicide Bureau, which was later renamed to the Capital Litigation Bureau. Jason was named APAAC Prosecutor of the Year in 2014 for his role as lead counsel on the retrial of the Buddhist Temple murders which occurred in 1991. In 2015 he was given a Lifetime Achievement Award from the Arizona Chapter of the Association of Certified Fraud Examiners.

Jason has always enjoyed teaching and was named the Maricopa County Attorney's Office Trainer of the Year in 2003. He is married and enjoys spending time with his wife, daughter and goldendoodle (Molly). He also has a labradoodle (Gus), but Jason claims that he is a little brat.



## Diversion in a Small Office (Pennington County, SD)

## Mark Vargo

### State's Attorney

Mark began his prosecutorial career working as an Assistant State Attorney for Janet Reno in Dade County, where he was the Deputy Chief of the Traffic Division, a felony prosecutor and a member of the Robbery Unit, which was formed to combat an epidemic of tourist robberies.

From there, relying upon his wife's description of Rapid City as "the banana belt," he moved to South Dakota, where he served as a Deputy



State’s Attorney for three years, during which time he was primarily responsible for the prosecutions for child abuse and child sexual abuse in Pennington County.

After a brief stint in private practice, he moved to the United States Attorney’s Office in Rapid City for 15 years. While there, he prosecuted gun and drug cases for the western half of South Dakota, as well as violent crime and drug cases occurring on the Pine Ridge Indian Reservation. He has also been a professor of Rhetoric and an instructor for prosecutors around the world, including Tbilisi, Georgia, and Vladivostok, Russia.

In 2012, Mark ran for Pennington County State’s Attorney and won in the primary. He faced no opposition in the general election and was sworn into office in January 2013. He was not challenged in either the 2016 or the 2020 race and will begin his third term in 2021. He was honored by his peers as South Dakota’s Prosecutor of the Year for 2015 and serves as South Dakota’s representative to the National District Attorneys’ Association, where he is presently the Chair of the Legislative Committee. His office has received national attention for its innovative approach to diversion of juveniles and young adults.

In his copious free time, Mark has been a coach for numerous youth sports organizations and presided over the merger of two youth soccer organizations, an accomplishment he swears has prepared him, if called upon, to broker peace in the Middle East. He was also the coach of the Rapid City Stevens Speech and Debate team for seven years earning him “Diamond” status with the National Speech and Debate Association.

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## Erik Bringswhite

**Co-Founder and Executive Director of the Institute of Indigenous American Legacy (I.Am.Legacy)**

Erik Bringswhite is the Co-Founder and Executive Director of the Institute of Indigenous American Legacy (I.Am.Legacy) located in Rapid City, South Dakota. The I.Am.Legacy center is an innovative space that offers mental health, substance abuse, and social support programming to community members in Pennington County, South Dakota. At I.Am.Legacy, Erik and his wife Morgan have created and developed programming to specifically address the cultural needs of indigenous peoples living in the city and surrounding tribal nations. One of I.Am.Legacy’s guiding principles is the Lakota concept “Mitakuye Oyacin,” or “We are all related.” As such, I.Am.Legacy is open to all persons who enter its doorway.



Having served as a long-time foster parent and juvenile justice worker prior to opening I.Am.Legacy, Erik considers himself a servant leader who strives to protect and develop the next generation of Native people to be healthy and happy. He believes that courageous, confident Native leaders are vital for developing culturally-appropriate, lasting solutions for Native people. He accomplishes this by working directly with not only youth and young adults but also with their families and the greater community. Having experienced the trauma of incarceration as a young adult, Erik also has developed specific programming and curriculum to address native youth and adults who are justice-system involved or formerly incarcerated.

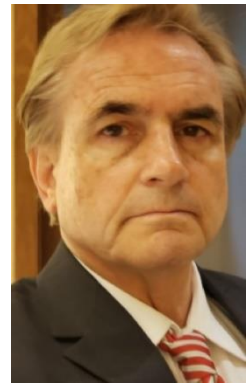
In 2018, Erik was named a Bush Foundation Fellow, and more recently was honored as a local community partner and “Champion of Change” by the MacArthur Foundation as a part of their Safety and Justice Challenge. Erik obtained a Bachelor’s of Social Work and AA Degrees in Chemical Dependency Counseling and Native American Studies from Oglala Lakota College. Presently, in addition to running I.Am.Legacy with his with Morgan, Erik serves as the Community Outreach Coordinator for the Pennington County Safety and Justice Challenge (MacArthur Foundation).

## Justice Restoration Project (Alameda County, CA)

### Eric von Geldern

#### Assistant District Attorney

Eric von Geldern is an Alameda County Assistant District Attorney. His responsibilities include heading the Alameda County Justice Restoration Project (ACJRP) and the Realignment and Justice Restoration Policy and Practice unit. In 2021 he was assigned to also oversee and coordinate Alameda County programs that help defendants and other individuals build better lives. These programs include collaborative courts and other alternatives to incarceration. His goal is to expand enrollment and use the experience he gained in developing and managing ACJRP to help improve our many current programs and also develop new programs that reduce recidivism and improve public safety.



District Attorney O’Malley’s vision in creating ACJRP was to see if a program centered around excellent certified trained peer support specialists could demonstrably reduce recidivism by helping participants build better lives. He is also focused on the value of excellent meaningful data and is working in partnership with independent professional evaluators to achieve better outcomes.

Mr. von Geldern's started his career doing jury trials. His experience ranges from prosecuting property crime to special circumstance murder. His felony pretrial resolution experience made him aware that incarceration is often not the best solution.

He prosecuted white collar crime for over a decade, and pioneered the extremely successful annual CDAA Multi-Agency Fraud Conference, in Northern and Southern California, and merged it with the annual NCFIA Conference in Monterey to create the national Annual Anti-Fraud Conference.

For the Insurance Fraud Advisory Board (IFAB), he serves as the representative prosecutor. He was invited and participated in the California Peace Officers Association's Standards and Ethics Committee.

Mr. von Geldern successfully initiated and wrote legislation that reformed California statute of limitations law. He is active in bipartisan efforts to improve the criminal justice system, including legislation and Court driven initiatives. He has lectured extensively on ethics, discovery, and fraud-related issues.

He received his undergraduate degree from UC Berkeley and his law degree from the University of Michigan.

## Kristine Hamann (Prosecutors' Center for Excellence)

### Executive Director

Kristine Hamann is the Executive Director and founder of Prosecutors' Center for Excellence (PCE). PCE provides consulting and research services for prosecutors and supports statewide prosecutor-led Best Practices Committees. The Best Practices Committees are devoted to proactively improving the criminal justice system and assessing emerging issues. Ms. Hamann is a consultant for prosecutors of all sizes across the country on a variety of topics including full-office assessments, investigating violent crime, conviction integrity, discovery, body worn cameras, ethics and enhancing community trust. Many of these engagements are paid through federal grants. Ms. Hamann regularly presents at national and statewide prosecutor meetings on issues including the evolving role of the prosecutor, ethics, witness intimidation, eye witness identification procedures and conviction integrity units.



From July 2013 to January 2016, Kristine Hamann was a Visiting Fellow at the Department of Justice/Bureau of Justice Assistance. She is the chair of the New York State Best Practices Committee for prosecutors and she is a co-chair of the National District Attorneys Association's Best Practices Committee. She is an Adjunct Professor at Georgetown Law School. She is a member of the ABA Criminal Justice Council and is on the ABA Criminal Justice Journal Editorial Board. She was an Independent Counsel to the Conviction Integrity Unit of the United States Attorney's Office for the District of Columbia.

From 2008 to 2013, Ms. Hamann was the Executive Assistant District Attorney for the Special Narcotics Prosecutor for the City of the New York. The office conducts international, national and local drug trafficking investigations and prosecutions which impact New York City.

From 2007 to 2008, Ms. Hamann was the New York State Inspector General. The Inspector General is charged with investigating and preventing fraud, waste and abuse in New York State government.

From 1998 to 2007, Ms. Hamann served as the Executive Assistant District Attorney to D.A. Robert M. Morgenthau in the Manhattan District Attorney's Office in New York City. Prior to 1998, Ms. Hamann held several other positions in the Manhattan District Attorney's Office, including Deputy Chief of the Trial Division in charge of the Criminal Court, Director of Training, and Deputy Bureau Chief of the Career Criminal Bureau. After law school she was an associate at Simpson Thacher and Bartlett in New York City.

She has received various awards including the Ethics and Accountability Award (City & State NY, 2018); Outstanding Prosecutor of the Year (NY State Bar Association, 2013), Prosecutor of the Year for Executive Leadership (NY District Attorneys Association, 2010), Excellence in Government Award (Albany Law School, 2008), Public Service Award (NY County Bar Association, 2005) and New York County District Attorney's Office Prosecutor of the Year (2001).



# CLE Credit and Survey



## Instructions to Receive CLE Credit

### Please Read Carefully

The Prosecutors' Center for Excellence has not requested continuing legal education accreditation for this program. Instead, we will supply you with a **Uniform Certificate of Attendance**. This certificate will include Prosecutors' Center for Excellence (PCE) as the sponsor, the title of this conference, the dates of this conference, the location of this conference as well as a calculation of the CLE Credit Hours under both a 60-minute and 50-minute hour system. We believe that these hours accurately reflect the CLE credit you should receive. However, each state has its own rules on the accrediting process which could affect this calculation.

**At the end of each session, you will receive a conference evaluation. You will need to fill out the survey in order to receive the Uniform Certificate of Attendance.**

As part of the meeting materials, PCE will supply you with this meeting's agenda, a description of the various content to be covered throughout this conference, as well as the names and biographies of the speakers.

You will need to apply for CLE credit on your own through your state's specific process. Most jurisdictions have this as an option. Some jurisdictions require members to apply and report within 30 days of the original program date. We hope that the **Uniform Certificate of Attendance** will aid you in this process.

### Sign-In Sheets

To obtain CLE credit, most states require attendees to sign in at the time of the meeting. PCE will maintain a copy of the registration list as well as a record of who attended each session (present at start and end of each session) and send copies upon request.

**Here are some specific sign-in rules from a variety of states. Because this is a virtual meeting due to COVID-19 there will be no physical sign-in sheet, instead PCE will be taking time-stamped screenshots of the participant list at the beginning and end of each session. If you need a copy of our records please contact PCE.**

**Delaware Attorneys:** Delaware Attorneys and speakers seeking CLE credits must **sign in** at each individual session you attend.

**Illinois Attorneys:** Illinois Attorneys and speakers seeking CLE credits must **sign in** at each individual session you attend. The sign-in documentation is used to verify your total number of CLE hours.

**New York Attorneys:** New York Attorneys and speakers seeking CLE credits must **sign in** and **sign out** of each individual session you attend.

**Pennsylvania Attorneys:** Pennsylvania Attorneys must complete the Pennsylvania CLE Credit Request form to report attendance at in-person programs.

**Texas Attorneys:** Texas Attorneys must complete the Texas CLE Course Attendance Form to report attendance at in-person programs.



PROSECUTORS' CENTER FOR EXCELLENCE

**UNIFORM CERTIFICATE OF ATTENDANCE**

**SPONSOR:** Prosecutors' Center for Excellence  
**ACTIVITY TITLE:**  
PCE Pop Up – Developing Diversion Programs  
**DATE:** February 4, 2021  
**LOCATION:** Virtual

\_\_\_\_ **Full Program:** 2 hours of CLE credit (not ethics), PENDING STATE APPROVAL.

**TO BE COMPLETED BY ATTORNEY**

By signing below, I certify that I attended the activity described above and am entitled to claim \_\_\_\_\_ CLE credit hours of which  0  were in Ethics.

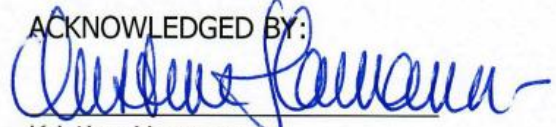
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ATTORNEY'S NAME *(please print)*

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
BAR MEMBERSHIP, REGISTRATION  
OR SUPREME COURT NUMBER

\_\_\_\_\_  
DATE

\_\_\_\_\_  
STATE WHERE CREDITS ARE TO BE  
REGISTERED

ACKNOWLEDGED BY:  
  
Kristine Hamann  
Executive Director / Founder  
Prosecutors' Center for Excellence  
Phone: 917.885.9065

**NOTE: PLEASE DO NOT RETURN THIS FORM TO PCE**

## Meeting Survey

The February 4th PCE Pop-Up Developing Diversion Programs survey will be available at the end of meeting. If you need proof of your survey for CLE credit please email PCE at [contactpce@pceinc.org](mailto:contactpce@pceinc.org).

### Survey Link:

<https://forms.gle/17NzgGtTvnjXoQEx9>

### Questions about Survey:

Kristine Hamann- Khamann@pceinc.org



Thank you for participating!