

DEVELOPING CLIENTS' TRUST

CROSSING ALL LINES

FEDERAL DEFENDERS, EASTERN DISTRICT OF ARKANSAS –
JAWARA GRIFFIN



THEORY AND SUPPORTING THEMES

- **CAN'T HAVE IF YOU DON'T
DEVELOP A CLIENT-FOCUSED
REPRESENTATION**

CULTURAL COMPETENCE

CULTURAL COMPETENCE

BEING AWARE OF YOUR OWN CULTURAL BELIEFS AND VALUES AND HOW THESE MAY BE DIFFERENT FROM OTHER CULTURES – INCLUDING BEING ABLE TO LEARN ABOUT AND HONOR THE DIFFERENT CULTURES OF THOSE YOU WORK WITH

CULTURAL COMPETENCE

**THIS REQUIRES US TO FOLLOW A TEACHING OF THE GREAT THEOLOGIAN
MICHAEL JACKSON**

I'M STARTING WITH THE MAN IN THE MIRROR



CULTURAL COMPETENCY - *INHERENT BIAS*

**“EVEN THE MOST WELL-INTENTIONED
PERSON UNWITTINGLY ALLOWS
UNCONSCIOUS THOUGHTS AND
FEELINGS TO INFLUENCE APPARENTLY
OBJECTIVE DECISIONS.” MAHZARIN R.
BANAJI**





CULTURAL COMPETENCY RACE

**CULTURAL
COMPETENCY**



CULTURAL COMPETENCY – SEXUAL ORIENTATION



SEXUAL ORIENTATION

- **ARE YOU USING OUTDATED TERMINOLOGY**
- **ARE YOUR INTERNAL FORMS AND DOCS CULTURALLY SENSITIVE**
- **DO YOU TALK ABOUT CLIENT'S SEXUALITY WITHOUT THEIR PERMISSION**
- **ARE YOU PREPARING FOR POSSIBLE BIAS FROM THE COURT**

CULTURAL COMPETENCY - GENDER



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GENDER

- **DO YOU WORK HARDER FOR YOUR OPPOSITE SEX CLIENTS BECAUSE THEY ARE ATTRACTIVE**

CULTURAL COMPETENCY - RELIGION



RELIGION

- **ARE YOU ASSUMING THEIR RELIGION**
- **ARE YOU MAKING ACCOMMODATIONS FOR YOUR CLIENT**
- **PRAYER TIME**
- **ARE YOU CONSIDERING THEIR DIETARY NEEDS**

CULTURAL COMPETENCY - AGE



AGE

- **TECHNOLOGY**
- **CONSIDERING POTENTIAL COGNITIVE DISABILITIES**
- **COMMUNICATION**

WHICH DID YOU SEE FIRST?



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Valeriy Kachaev | Dreamstime.com

WHICH DID YOU SEE FIRST?

- **MAN VS WOMAN**
- **BLACK VS WHITE**
- **LIBERAL VS CONSERVATIVE**
- **OLD VS YOUNG**
- **CHRISTIAN VS NON CHRISTIAN**



THEORY AND SUPPORTING THEMES

CAN'T DEVELOP IF YOU DON'T HAVE A STRONG RELATIONSHIP WITH CLIENT



ATTORNEY RELATIONSHIP

- **MOST IMPORTANT PART OF THE CASE**
- **EVIDENCE**
- **WITNESSES**
- **REHABILITATE**
- **DESTROY**

Social Assessment

Date of Assessment:

Time:

Location:

1. Name? Other Names Used - Including Maiden Name. Age?

2. Date of Birth? Social Security Number?

3. What is your current address?

4. What is your current phone number?

5. Where were you born?

6. Where did you grow up?

7. Did you move anywhere growing up or live in the same place for a long time? When and Why?

8. What type of house / neighborhoods did you grow up in? Nice areas? High crime areas? E

9. Did you have a stable childhood? Were you taken care of? Were your basic needs met? If
struggled for things or needed anything, what was it? How did that affect you?

10. Did you have a happy childhood? If yes, what made it happy? What did you like to do? If
some memories. If not, why not?

11. Was there any abuse? Physical, mental, sexual? If so - Please describe. When, where, &
what happened?

Page 1 of 8



ASSESSMENT/MITIGATION BEGINS DAY 1



ASSESSMENT/ MITIGATION BEGINS DAY 1

Social Assessment

2. Were your parents together when you were born?

3. Were they married? If yes – When?

4. What is your mother's name? Age? Phone number?

5. What is your father's name? Age? Phone number?

6. How old were your parents when they had you?

7. How did your parents get along? Loving, caring, supportive? Fighting, physical?

8. How did your parents treat you? Was one more strict than the other? Who enforced the rules? Did you feel closer to one parent than the other? Was one more than the other? If you have siblings, were you all treated fairly? If not, did that affect you?

9. Who kept things going at the house? Made sure the bills were paid, food on the table? Did your parents share in the workload or did one of them carry the load?

10. Did your parents do any type of drugs / have any addictions when you were growing up? If so, how did they act? Did you witness the use? Do they still use? How does that affect you?

1. Did either of your parents have learning disabilities? Mental health issues? If so, how did that affect your life in anyway?

2. Were either of your parents ever arrested? Spent time in prison? Absent from home? How did that affect you?

3. Are your parents still together?

SOCIAL ASSESSMENT/ MITIGATION

• DOES THIS TAKE
AWHILE?

• YES.

Social Assessment

66. Are you currently / have you ever been on medication for mental health? If so - When, what, for what, for how long?

67. Have you ever used alcohol or drugs? If yes - When did you start, what did you drink or use, how long, how much, etc...

68. If you used alcohol or drugs and quit - When, why did you quit?

69. Did you ever seek treatment for / been ordered to treatment, rehab, etc... If so - When, where, for what, did you complete the program, what was the outcome? Please be as specific as possible so that we can obtain records.

70. Have you ever been in the military? If yes - When, where, what branch, what did you do, type of discharge, awards, etc... Please be as specific as possible so that we can obtain records.

71. If you were in the military - Did you ever go to the VA for any treatment? If so - When, where, for what? What was the outcome?

72. Do you receive any Social Security Disability Benefits? If so - When did you start receiving them, where, why? How much money do you receive per month?

73. Do you have any prior criminal history? If so - Where, what, when, misdemeanor, felony, convictions, etc... Please be as specific as possible so that we can obtain records.

74. Have you served time in TDOC, BOP, or any other prisons? If so - When, where? Did you complete any programs while there? Any problems?

75. Do you have any cases pending? If so - Where, what, when, misdemeanor, felony, etc... Please be as specific as possible so that we can obtain records.

76. Have you experienced any other traumatic events in your lifetime that we have not yet discussed? If so - When, where, what happened, how did it affect you?

OBTAIN SOCIAL ASSESSMENT/MITIGATION

- **LIFE STORY/CLIENT**
- **ATTORNEY**
- **INVESTIGATOR**
- **MITIGATION SPECIALIST**
- **PARALEGAL**
- **SENTENCING ADVOCATES**

Client's Childhood

Upbringing

Gameboard

Title

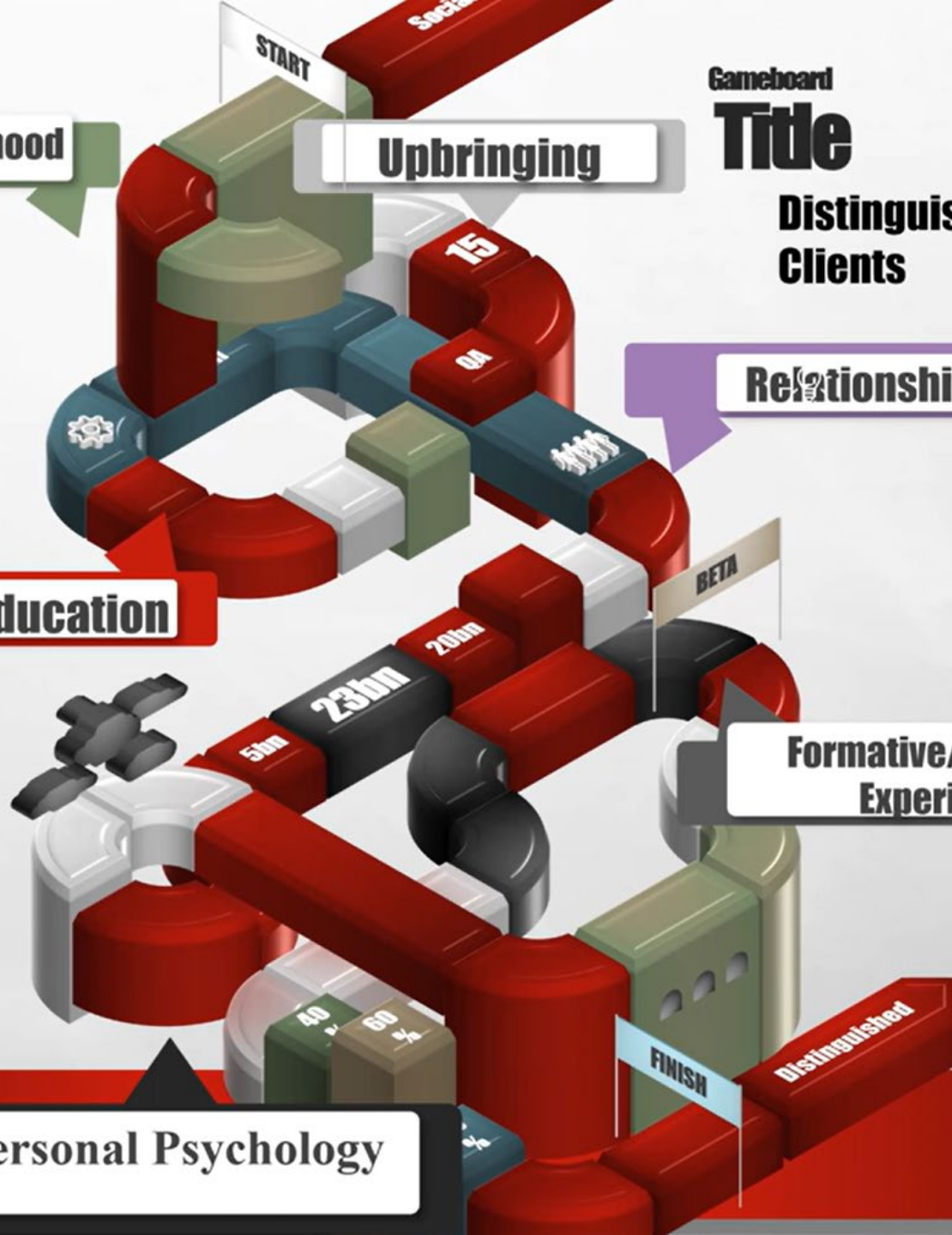
**Distinguishing
Clients**

Relationships

Education

**Formative/Traumatic
Experiences**

Personal Psychology



Indictment-Initiated Proceedings

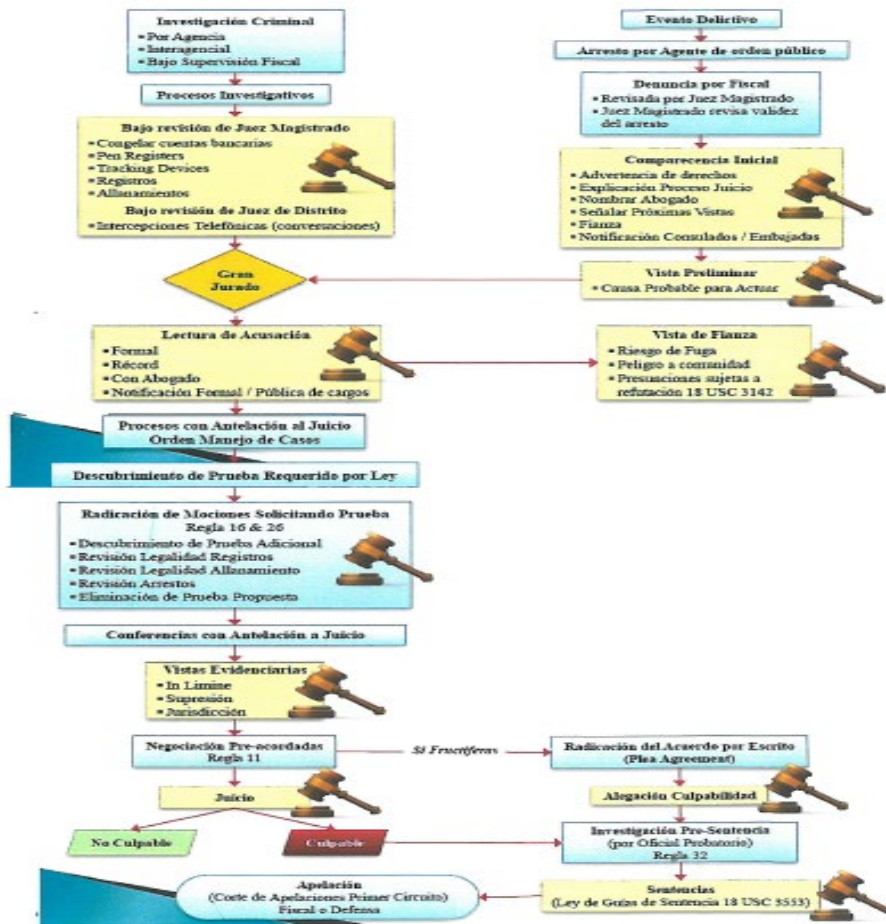
Indictment	Initial Appearance	Bond/Detention Hearing	Discovery	Motions	Trial	Sentencing
Indictment returned by grand jury. Arrest warrant or summons is issued. Defendant is arrested pursuant to arrest warrant or served with summons for initial appearance. Fed.R.Crim. P.3	Promptly, usually within 24 hours of arrest. Defendant is advised of: • Pending charges • Maximum penalties • Right to counsel • Right to preliminary hearing • General circumstances of pretrial release Fed.R.Crim. P.5	On motion of defendant: No more than 5 days On motion of government: No more than 3 days Otherwise: Immediately 18 U.S.C.3142	Fed.R.Crim. P.16	Fed.R.Crim. P.12,12.1, 12.2, 12.3	Fed.R.Crim. P.23, 24, 26.2, 29, 30	PSR prepared by probation Office and provided to parties and court. Objections to PSR and sentencing memoranda filed by parties. Sentencing hearing Fed.R.Crim. P.32

INITIAL MEETING

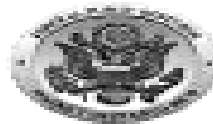
- REVIEW THE PROCESS
- LENDS CREDIBILITY
- DEMONSTRATES YOU WILL TAKE THE TIME TO EXPLAIN

INITIAL MEETING

- REVIEW THE PROCESS AND LET YOUR CLIENT READ ALONG IN SPANISH
- LENDS CREDIBILITY
- DEMONSTRATES THAT YOU WILL TAKE THE TIME TO EXPLAIN



FEDERAL PUBLIC DEFENDER
DISTRICT OF PUERTO RICO



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VIVIANNE M. MARRERO
SUPERVISOR - AFPD

JOHN J. CONNORS
SUPERVISOR - AFPD

SULAY RIOS
SUPERVISOR - AFPD

Sr. Jose Doe
Reg. No. 55555-069

7 de enero de 2019

Estimado señor Doe:

Saludos, espero se encuentre bien. Mi nombre es el Lcdo. LaRonda R. Martin de la Oficina del Defensor Público Federal y seré su abogado en el caso. En esta carta le voy a explicar algunos asuntos relacionados con sus cargos. Quizás, al momento de recibirla ya yo he hablado con usted personalmente. Sin embargo, le envío esta carta para que tenga la mayor parte de la información por escrito y así la pueda analizar mejor.

Al presente usted está denunciado por unas alegadas infracciones a los siguientes artículos del Código Criminal Federal:

I. Cargos:

1. 21 USC § 841(a)(1) – Posesión con intención de distribuir cocaína

Excepto según autorizado por este subcapítulo, será ilegal que cualquier persona, a sabiendas o intencionalmente:

(1) Manufacture, distribuya, o dispense, o posea con intención de manufacturar, distribuir, o dispensar, sustancias controladas.

Dicha persona será sentenciada a un término de prisión, el cual no será menor de diez (10) años o mayor a cadena perpetua, y/o multa no mayor de \$10,000,000.

2. 21 USC § 846 – Conspiración para la posesión ilegal de cocaína

**SOCIAL MEDIA – HELP BUILD/BREAK
RELATIONSHIPS WITH CLIENTS???**

**WHAT IS YOUR
REPUTATION?**

REPUTATION

WHAT IS YOUR REPUTATION IN THE LOCAL
JAILS, DETENTION CENTERS, COMMUNITY?

JUDGMENTAL

VISITS OFTEN

ACCEPTS PHONE CALLS

SENDS DISCOVERY AND DOCUMENTS

REPUTATION

VISITS CRIME SCENE

CONDUCTS EVIDENCE INSPECTIONS

INTERVIEWS WITNESSES

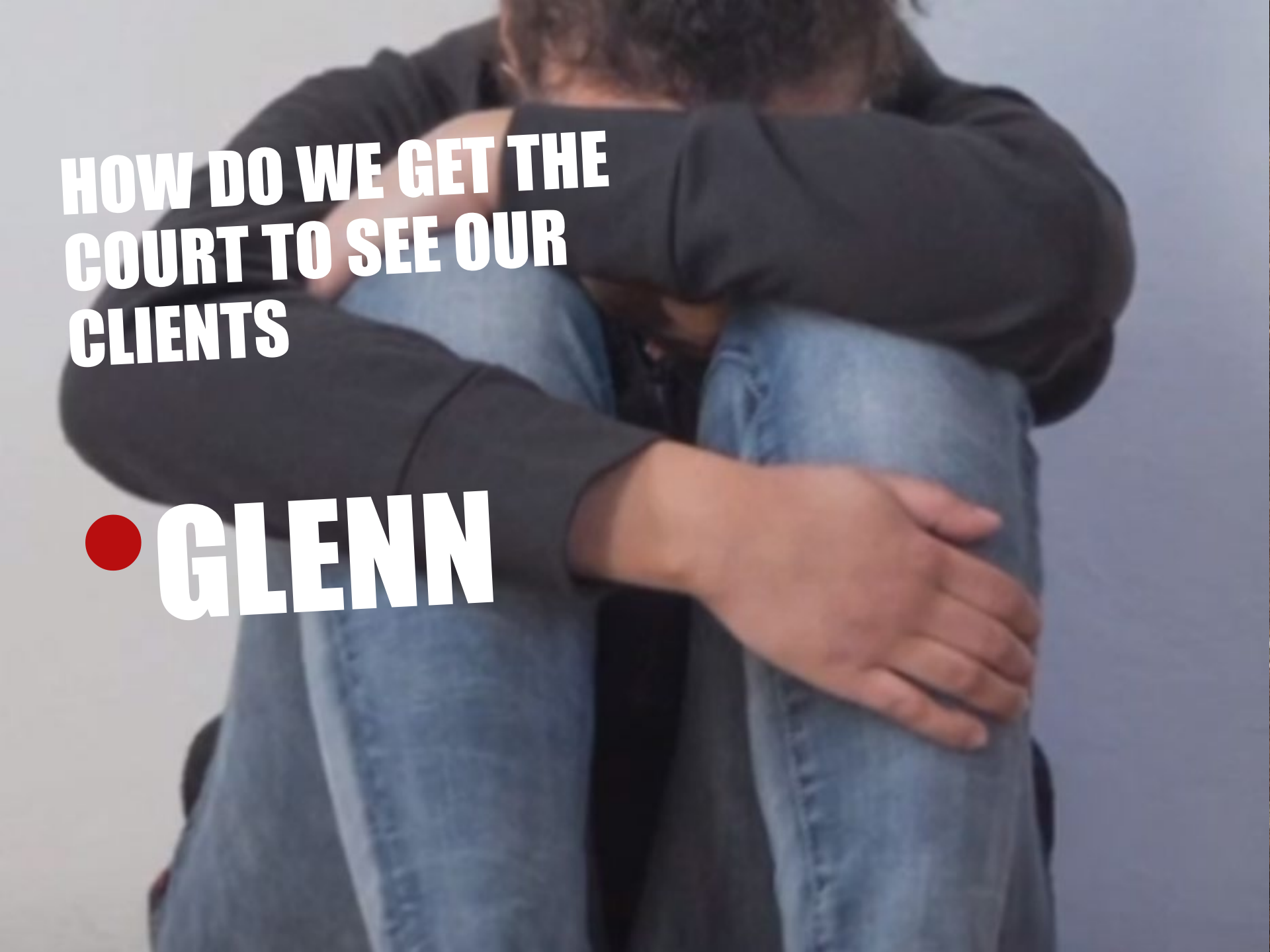
COP ATTORNEY

TRIAL ATTORNEY

- **HOW DO WE TELL OUR CLIENT'S STORY**

JAWARA GRIFFIN

- **ATTORNEY**
- **BLACK MAN**
- **RAISED IN AN INNER CITY**
- **MAY HAVE HAD SOME HARDSHIPS**
- **SINGLE PARENT HOUSEHOLD**
- **SINGLE PARENT WAS A CRACK ADDICT**
- **I WAS ABANDONED BY THE AGE OF 8 AND LIVED IN ABANDONED BUILDINGS**
- **FROM AGE 12-18 I WAS RAISED IN GROUP HOMES**
- **PRESUMPTIONS AND ASSUMPTIONS MUST BE THROWN OUT OF THE WINDOW**



**HOW DO WE GET THE
COURT TO SEE OUR
CLIENTS**

● GLENN

**UNITED STATES
V.
GLENN**

20 YEAR OLD BLACK MALE WITH TWO SEPARATE CASES. BOTH CASES WERE FELON IN POSSESSION OF GUN.

FIRST CASE CLIENT WAS IN A CAR WITH TWO CO-DEFENDANTS AND THREE GUNS WERE FOUND IN CAR.

SECOND CASE – CLIENT WAS PRESENT IN A HOUSE WHERE A FIREARM WAS FOUND.

MITIGATION RECORDS IN SUPPORT

**Division of
family service
records**

**Psychological
reports**

**Hospital
records**

**Pharmacy
records**

**Treatment
records**

**Military
records**

**Educational
records**

**Character
letters**

Family albums

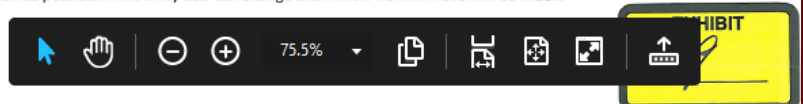
**Church
records**

CHARACTER LETTER

About My Dad

My name is Dominique McMurray. I am the 13 year old son of Matthew McMurray. As far back as I can remember, me and my dad have been best friends. We did everything together. He raised me the way I am now and he did a good job doing it. He taught me how to play basketball. He is really good. I have nobody to teach me anymore and I can't teach myself as good as he teaches me. I really need my dad out as soon as he can. I need him out for when I mess up. He can help me know what I did wrong and will get me in trouble like he needs to do and what he used to do. He was and still is a really good dad. My dad would rather do stuff with his kids than do anything else. Since my sister played softball and I played basketball so my dad would play softball and basketball at the same time. I need my dad out as soon as possible because I need someone to teach me stuff that boys need to learn. I need him to take me shopping and go play basketball like we used to. My dad cared about everybody and everybody cared and loved him too. We used to go to the nursing home every Christmas and give them Christmas cards and money. Sometimes we gave them extra stuff. We gave all the workers and the patients some. My dad also loved God and loved going to church. We went to church every Sunday and most Wednesday's. We met these people at church and they invited us to a church program. This program was where we met together and rode this bus to the place they chose and we helped homeless people. We gave them food and clothes. We would sometimes go to their homes and invite them to come sing and play games and we would give them free toys. My dad would never miss a Sunday of the program of Church unless we had to. We used to live at the beach and we would always walk to the beach and my dad always tried to beat us to jump in first. He would always take me and Honesty to theme parks and to the regular parks and to basketball courts and softball fields. My dad always took me and my sister on his motorcycle and would never go too fast. Every time I would tell him to go faster he would say "no I love you too much and I don't wanna risk getting in a wreck." I love my dad so much he is not only my dad he is my best friend. I can tell him anything and I can trust him enough not to tell anybody. I really want me need my dad out. I love him so much.

My dad loved to work out. He worked out everyday for like 2 hours. He always asked me and my sister to work out with him. I did work out with him everyday and my sister only did sometimes but every time we worked out we turned music on loud and we always made it fun and laughed. That's what I love about my dad is that he could make anybody laugh even when they are having a bad day. My dad also ran everyday before or after we worked out. He always ran at least 10-12 miles. Me and my sister went most of the time. I always rode my bike and my sister always jogged. My dad loved his body and he would always take pictures of his 8 pack. He always wanted to have a good and healthy body. He also wanted me and my sister to have one too. We always ate vegetables and chicken and cheese or we ate vegetables and ham and cheese. We always drank water at dinner. My dad only let us get one coke or something a day and the rest water. There is one thing that my dad couldn't stop eating. That one thing is peanut butter. He is obsessed with peanut butter and me and my sister would always hide it and he would always find it somehow and I don't know how. He would always eat a whole jar at a time. Me and my dad have always been best friends. We barely leave each others side. I know he is my dad but he is a really good dad and best friend. We always have each others back. My dad is a really great person and anybody who has met him would tell you the same. We have been through a lot together and I don't want to lose him. We have been best friends and we don't lie to each other. We don't fight or anything but we have a special bond that cant be broken. We both got baptized last summer and we both meant it. Me and my dad and sister have always went to church on Wednesdays and Sundays. We love God and God will help us through everything and he always has. When my dad started doing that bad stuff it broke my heart watching him go through the consequences. I always woke up in the middle of the night and hear my dad praying and crying himself to sleep because he knew what he did was wrong. My dad is my only best friend and he always will be. I love my dad and I know he loves me back. I need my dad out as soon as possible. I know my dad can change and I know he will. I love him so much.



IV. Position as to Sentencing and Recommendations



1. Family Dynamic

Damarcus Glenn was born on August 13, 1999 in Humboldt Tennessee. Damarcus was born into a stable family environment. Damarcus' parents, Roy Roger Glenn Jr and Alanda Glenn (Marsh) were married shortly after Damarcus was conceived. Damarcus is the third of four children. He and his eldest sister Ciarra Marsh share the same mother. He and his elder brother Joshua share the same father, while he and his youngest sister Jasmine Glenn share the same father and mother.

2. Early Years

Damarcus was raised in a loving family environment. Although two of his siblings would be classified as half-siblings, they did not look at each other as half siblings, they only identified each other as brother and sister.

The family resided in Humboldt, TN until Damarcus turned eight (8) years old. The family then moved to Jackson, TN for one year, then back to Humboldt for one year. Due to a tragedy striking, the family ultimately left Humboldt and moved to Laverne, TN.



until Damarcus moved to Humboldt. The but due to Humboldt and

Damarcus was a very good kid in the home as well as school. In the home Damarcus was very helpful to his parents. He did his daily chores and always remained respectful of his parents.

Damarcus was an excellent student. He consistently received very good grades and was very likable. Damarcus consistently scored A's and B's on his report cards with a few C's sprinkled in. Due to circumstances out of his control, he moved several times requiring him to transfer schools. However, his academic, nor behavior was ever effected. He remained an engaged student and enjoyed a positive reputation which made him very popular with the students as well as his teachers.

3. Superman is Dead!

who
sure that
Damarcus.
Damarcus.



Damarcus was very close to his father, maintained a full-time job all the while making he spent as much time as possible with In the home Roy was a great role model for He began teaching Damarcus life skills at a very young age. As a child, Damarcus was a bit of a cry baby and Roy would have to consistently chastise him (positively) encouraging him to toughen up and not cry so much. Roy made sure that Damarcus received all the love a boy could want from his father. An avid sports fan, Roy started teaching Damarcus how to play sports, honing his skills at a very young age. The sports of preference were basketball and

football. The more Roy and Damarcus practiced together the better the results and the stronger the bond. Damarcus played in several recreational leagues and Roy was present at majority of the practices and games supporting Damarcus.

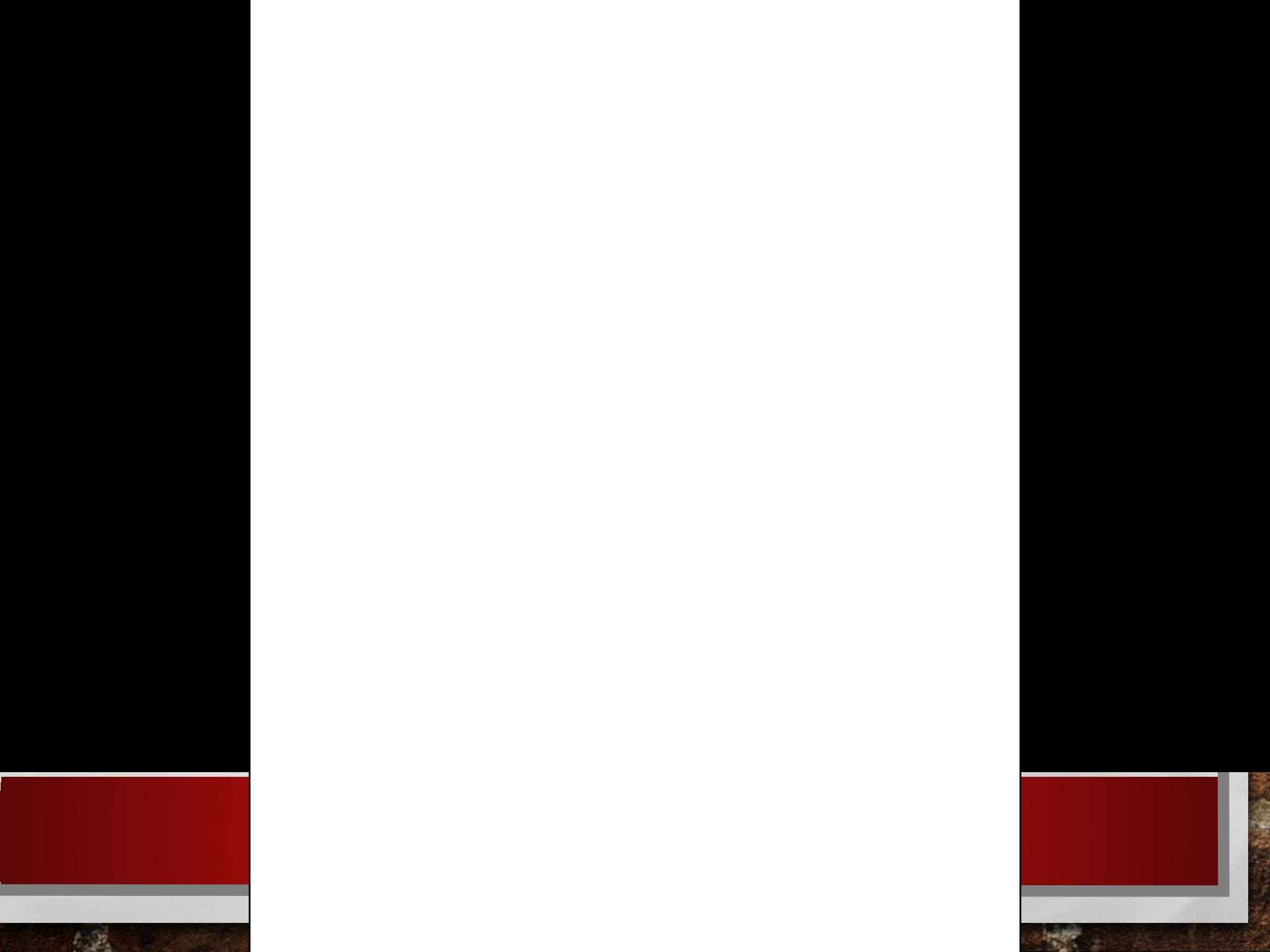
Roy was equally involved with Damarcus's education progress. Roy would assist Damarcus with completing his homework assignments. Roy consistently reminded Damarcus, that sports were good but his education was more important. He made sure Damarcus understood that to play sports or to progress in any area in life education was the key. The bond between Roy and Damarcus was unbreakable.

On April – 2009 tragedy struck the Glenn family. Roy Roger Glenn Jr. was spending time with a friend one evening after work. The two gentlemen went to a local Lounge to have to catch up and grab a drink. After their meet-up concluded the friend offered and Roy Roger Glenn accepted a ride home. While driving home the driver pulled over to the side of the road. Roy had exited the car before the police arrived on scene. Once the officer arrived on scene he initially became aggressive with the driver. Roy ultimately, started to run to his mother's house. In a split second everything changed. While Roy was running, two shots rang out striking Roy Roger Glenn in his back and in the back of the neck, killing him. Ultimately the officer was charged and convicted in the death of Roy Roger Glenn



Receiving the news shattered Damarcus's world. This trauma of his father's murder manifested itself in several ways. Initially Damarcus did not fully understand, appreciate and process the fact that his father was gone forever. Damarcus then went through a phase of isolation. He would spend more time alone. Some days he would not want to talk to anyone about anything but instead he would sit in his room and cry. It came a point in time when his mother took him to see a therapist to receive grief counseling. However, the counseling required Damarcus to face the issue head on which made him constantly relive the traumatic experience. This resulted in the opposite of the desired result. Therefore, his mother made the tough decision to stop the counseling.





A vertical cross-section of a soil profile. The top layer is a dark, organic-rich soil. Below this is a lighter, more granular soil layer. At the bottom, there is a thick, dark, and highly textured layer, possibly representing a different soil type or a rock layer.

