



# NON-CAPITAL SENTENCING MITIGATION SKILLS WORKSHOP

ADMINISTRATIVE OFFICE OF THE U.S. COURTS  
DEFENDER SERVICES OFFICE TRAINING DIVISION

New York, NY

July 18-20, 2024

## Agenda

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### Thursday, July 18, 2024

**7:30 – 8:45 a.m. Registration – Continental Breakfast**

**8:45 – 9:00 a.m. Welcoming Remarks and Introduction to Workshop**  
*Akin Adepoju, Chief, Content Branch, Training Division, Defender Services Office, Washington, DC*

**9:00 – 10:00 a.m. PLENARY SESSION: Storytelling: A Framework for Mitigation**  
*Akin Adepoju, Chief, Content Branch, Training Division, Defender Services Office, Washington, DC*  
*Vickie Piontkowski, Mitigation Specialist, Insight Mitigation, Pittsburgh, PA*

At sentencing, every client's story matters and how we tell that story can mean the difference between success and failure. This session focuses on effective storytelling techniques and its integration into persuasive sentencing advocacy to unlock compassion, empathy, and mercy.

**10:00 – 10:15 a.m. Break**

**10:15 – 11:15 a.m. PLENARY SESSION: Developing Clients' Trust Through Effective Interviewing Skills**

LaRonda Martin, *Assistant Federal Defender, Office of the Federal Public Defender for the District of Nevada, Las Vegas, NV*

Who am I representing? How do I distinguish my client from the hundreds of other clients the court is sentencing? How do I discover and develop the information necessary to tell my client's mitigation story? This session will discuss critical components of an effective mitigation investigation, including gathering records and interviewing considerations, with a focus on cultural competency concerns.

**11:15 – 11:30 a.m. Break**

**11:30 a.m. – 12:30 p.m. WORKSHOP SESSION I: Developing Clients' Trust Through Effective Interviewing Skills**

**Please see grouping list for assignments**

Participants will meet with their small group facilitators to discuss and practice ways to develop their clients' trust, including effective ways of interviewing, using their own cases.

**12:30 – 1:45 p.m. Lunch – On Your Own**

**1:45 – 3:45 p.m. WORKSHOP SESSION I: Developing Clients' Trust Through Effective Interviewing Skills (*continued*)**

**3:45 – 4:00 p.m. Break**

**4:00 – 5:00 p.m. PLENARY SESSION: Wait Wait . . . Don't (Just) Tell Me. Show Me! The Importance of Sentencing Mitigation Videos**  
Marcos Barbery, *Mitigation Specialist, Federal Defender Program for the Northern District of Illinois, Chicago, IL*

Good sentencing videos tell an important and powerful story – one that embodies the dynamic potential of human beings to suffer, err, grow, and change. Through the use of visual images, text and sound, sentencing videos present our clients as complex people who care about other people (who care about them too) and are therefore worthy of the sentencing courts' empathy, not just sympathy.

**5:00 p.m. Adjourn for the Day**

**Friday, July 19, 2024**

**7:30 – 8:45 a.m. Continental Breakfast**

**8:45 – 9:45 a.m. PLENARY SESSION: Locating and Analyzing Records for Mitigation Evidence**

Vickie Piontkowski, *Mitigation Specialist, Insight Mitigation, Pittsburgh, PA*

This session will provide an overview of the importance of records in developing mitigation evidence. Records are inherently credible because they were created by objective, neutral professionals long before the client faced criminal charges. They reveal sensitive information that clients and their family members are reluctant to disclose – and sometimes information that the client and their family members know nothing about. After this session we will break up into small groups to decipher and decode some records from a mock case.

**9:45 – 10:00 a.m. Break**

**10:00 a.m. – 12:00 p.m. WORKSHOP SESSION II: Locating and Analyzing Records**

Participants will meet with their small group facilitators to review the types of records and documents that are important to developing mitigation evidence. Participants will identify mitigation themes and potential mental health issues, hypotheses, questions, and brainstorm investigative follow-up tasks.

**12:00 – 1:15 p.m. Lunch – On Your Own**

**1:15 – 2:15 p.m. PLENARY SESSION: Writing the Story: Pen to Paper**

*Fredilyn Sison, CJA Panel Attorney, Western District of North Carolina, Asheville, NC*

This session will present the skills of writing an effective story and how to use persuasive techniques to tell our clients' mitigation stories.

**2:15 – 2:30 p.m. Break**

**2:30 – 5:00 p.m.      WORKSHOP SESSION III: Writing Skills**

Participants meet with their small group facilitators to write part of a Mitigation Report or Sentencing Memo based on the facts of the case brought by participants.

**5:00 p.m.              Adjourn for the Day**

**Saturday, July 20, 2024**

**7:30 – 8:45 a.m.      Continental Breakfast**

**8:45 – 9:45 a.m.      PLENARY SESSION: Developing a Treatment Plan**  
*Vivianne Guevara, Director, Integral Justice, San Diego, CA*

This session will focus on the need to include a treatment plan that addresses the underlying issues often associated with criminal behavior and it will explore the development and use of community resources to influence sentencing outcomes. This session will include an example of a formal treatment plan presented to the courts that includes a restorative justice aspect.

**9:45 – 10:00 a.m.    Break**

**10:00 – 11:45 a.m.    WORKSHOP SESSION IV: Treatment Plans and Sentences that Meet the Needs of the Client**

Participants meet with their small group facilitators to fashion appropriate sentence requests and treatment plans that meet the client's identified needs.

**11:45 a.m.              Closing Remarks and Program Adjournment**  
*Craig Crawford, Attorney Advisor, Training Division, Defender Services Office, Washington, DC*

**CLE Accreditation**