



# DUE PROCESS DEFENDER

“DEFENDING THE CONSTITUTION ONE CASE AT A TIME!”

October 2018

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***"Training, Experience,  
and Expertise Defines  
the Professional"***

## From our National Director



### **CREDIBILITY: Content, Consistency, and Corroboration**

*Brandon A. Perron, CCDI, CFI-FTER*

The national headlines have placed a spotlight upon the credibility of testimonial evidence. Dramatic emotional impact is often used to promote an agenda in and out of the courtroom. However, the professional investigator recognizes that evaluation of an emotional delivery is not an effective measure of truth. It should not be dismissed as part of the evaluation process. However, emotion cannot be the primary veracity test. It is too easily manufactured and will often result in securing sympathy from the investigator on behalf of the witness. Sympathy is a hazard to the investigator and the process as it creates bias and diminishes objectivity. To remain objective and impartial, the investigator must replace sympathy with empathy. Empathy will empower the investigator to understand and create a shield against the potential bias created by sympathy. Correctly applied, the subject of the interview will often misinterpret empathy as sympathy and feel free to openly discuss the issue in question. The investigator must remain objective and impartial during the process of fact recovery and evaluation. The investigator must focus upon the content and not be misled by the potential deceptive influence of the delivery. The ability of the investigator to uncover the truth beyond the smoke and mirrors is crucial.

The investigator understands the many methods used to determine the veracity of information. The majority rules application is often applied with a pattern of unreliability. A democracy and our jury system is filled with examples of error and failure. The authority method also consistently fails, relying upon the subjective opinion of experts. Again, with the authority method the delivery is often the defining persuader as opposed to the content, consistency and corroboration of the information. Such methods should be considered during the investigation to facilitate

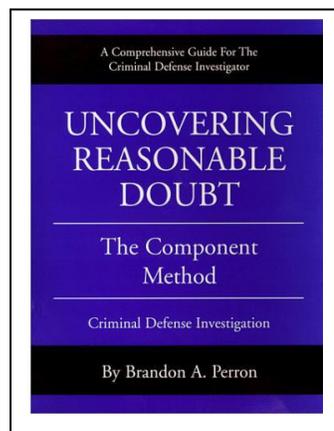
the process. However, as a primary method, the majority rules and authority methods are unreliable.

An impartial and objective fact driven investigation demands an impartial and objective professional investigator. The investigator must first remain free of bias in respect to the objective. The objective must not be to prove or disprove but to uncover the truth. The facts should be recovered to lead to the truth. In contrast, facts should not be pursued to confirm a preconceived truth and agenda.

Content, consistency and corroboration utilizing the correspondence method is a pragmatic and reliable verification process. The claim/idea must correspond to the facts and supporting evidence. Subsequently, the investigator must enhance and further quantify and qualify the facts and evidence utilizing the coherence method. Fundamentally, the process is a puzzle and all the pieces must fit without forced manipulation, large gaps, and missing pieces. Otherwise, a complete picture of a questioned event is subject to interpretation and assumption. The objective and impartial process of investigation will identify facts and uncover evidence. The facts and evidence are evaluated and subjected to comparative analysis. The credibility of evidence is determined by content, consistency and corroboration. The lack of credibility is revealed by inconsistency, contradictions, errors, omissions, and flaws.

The Component Method of Investigation and the FTER Method of Forensic Interviewing engages the correspondence and coherence methods as a systematic process of investigation. The investigator must be disciplined and methodical, supported by an objective and impartial philosophy. Therefore, the professional investigator must be trained and practiced in a proven methodical approach of investigation. The Truth demands nothing less.

## UNCOVERING REASONABLE DOUBT'S 20 YEAR ANNIVERSARY!



In 1998 *Uncovering Reasonable Doubt: The Component Method* by Brandon Perron was published. The groundbreaking book has become the standard for criminal defense investigation instruction with public defender and private investigators across the nation. Thousands of investigator have been trained in the Component Method with over 350 Federal, Military, State, and private investigators earning the title of Board Certified Criminal Defense Investigator (CCDI). Veritas Defenders!

# 2018 CDITC NATIONAL CRIMINAL DEFENSE INVESTIGATION TRAINING ACADEMY



The Criminal Defense Investigation Training Council's 2018 Academy was a SUCCESS!

5 day, 40-hour Criminal Defense Investigation Academy was held June 11th-15th, 2018 on the Beach at the Marriott Courtyard, Jensen Beach, Hutchinson Island, Florida.

The program involved participant investigative teams with designated team leaders and faculty advisers that facilitated and led follow-up discussions. Academy Instructors provided lecture and multi-media based training in general sessions and led breakout teams in hands-on training.

This premier Criminal Defense Training Program consisted of the following:

- Philosophy and Methodology of Investigation
- Law - Legal Defenses - Defense Theories
- Uncovering Reasonable Doubt Component Methods 1-6
- Forensic Case Review & Analysis
- The Defendant Interview
- Crime Scene Examination
- Impeachment/Background Inquiries
- Witness Interviews
- Report Writing & Testifying
- Forensic Interviewing - Forensic Testimonial Evidence Recovery - CFI-FTER designation. (test required)

Upon completion, all participants became Certified in the Component Method of Criminal Defense Investigation and recognized by the CDITC as a Criminal Defense Specialist. Those who met the qualifications were also eligible for the award of the CDITC Board Certified Criminal Defense Investigator (CCDI) designation and the CDITC Certified Forensic Interviewer (CFI-FTER) designation.



Congrats to the following graduates who earned their CCDI designation with instructors Bill Monroe, CCDI, CFSI, Brandon Perron, CCDI, CFI-FTER and Brad Perron, CCDI, CFSI.

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Join the nation's top criminal defense investigators, seek qualified training, and earn your certifications as a recognized professional!

## Arizona Public Defender Association 15th Annual APDA Statewide Conference

**June 21 – 23, 2018**

The APDA Annual Statewide Conference was a three-day conference that offered training on an incredibly diverse range of topics for attorneys, investigators, paralegals, mitigation specialists, and administrative support staff. CDITC National Director Brandon A. Perron, CCDI, CFI-FTER presented a two-part course on Thursday, June 21<sup>st</sup>, on The Component Method of Criminal Defense Investigation & Case Management.

## Florida Public Defender Association Summer Conference Investigation & Mitigation – “Not Just for Capital Cases”.

**August 9-10, 2018**

Two day, 12 hours Investigation & Mitigation Training session (Investigator Track). The program was sponsored by the Florida Public Defender Investigation Association, at the Hilton Orlando Lake Buena Vista. The program focused upon understanding and developing comprehensive mitigation strategies for all types of cases.



## NATIONAL DEFENDER INVESTIGATOR ASSOCIATION 2018 REGIONAL CONFERENCE

September 4-6, 2018

CDITC National Director Brandon A. Perron, CCDI, CFI-FTER and Florida 19<sup>th</sup> Judicial Circuit Public Defender Chief Investigator Amy Perron, CCDI spoke covering multiple topics. The annual event was held September 4-6, 2018, at the Renaissance Fort Lauderdale Cruise Port Hotel, 1617 SE 17th St., Fort Lauderdale, FL 33316.

“Better that ten  
guilty escape,  
than one  
innocent suffer.”  
– Sir William  
Blackstone



Matt Whalen, NDIA President, Amy Perron, Candace Whalen and Brandon Perron (left to right)



Amy Perron engaging crime scene virtual reality technology.

STILL TO COME IN 2018...

## INspi- Forensic Testimonial Evidence Recovery (FTER)

October 26-27, 2018

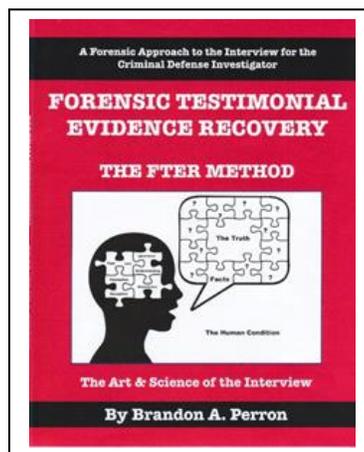
CDITC National Director Brandon Perron, CCDI, CFI-FTER, will return to South Bend, Indiana for round two of training from October 26-27, 2018. This event is hosted by the Indiana Society of Professional Investigations (INspi - [www.indianainvestigators.com](http://www.indianainvestigators.com))

The FTER Program is grounded in the theoretical understanding of testimonial evidence in its various forms. Practitioners assimilate a comprehensive understanding of testimonial evidence relative to its creation and potential contamination for the purpose of recovery and analysis. Successful completion awards the CFI-FTER designation recognizing proficiency in the FTER method of forensic interviewing and analysis.

### TICKETS:

**\$495.00 INspi member attendance fee**

**\$595.00 Non-member attendance fee**



## 2018 Investigator Super Conference – New York

November 8-11, 2018



### **Criminal Defense Investigation – Uncovering Reasonable Doubt: The Component Method:**

This is a **Special Offer accelerated 1 day version of the Nationally Acclaimed 2 day certification program.** The dynamic and fast track training will address the comprehensive approach to criminal defense investigation and case management utilized by public defender investigators and private investigators across the nation as the standard of excellence. The high powered training will be presented by *CDITC National Director Brandon A. Perron, CCDI, CFI-FTER* and will include Philosophy and Methodology of Investigation, Attorney-Client Privilege as Agents of Counsel, Work-Product Doctrine, Criminal Rules of Procedure, Law – Legal Defenses – Defense Theories, Forensic Case Review & Analysis, The Defendant Interview, Crime Scene, Impeachment Investigations, Witness Interviewing & Statements, Report Writing & Testifying. Subsequent self-study and an open book test will be required. All graduates will be nationally recognized as *Certified in the Component Method of Criminal Defense Investigation*. Those participants who meet additional requirement are eligible to apply for the expert designation of *Board Certified Criminal Defense Investigator (CCDI)*. Award of the CCDI designation will require an application process reflecting experience and references as well as additional fees.

**Training Fee: \$ 150.00 – Certificate Awarded**

**Training Book Fee – \$ 25.00 (Required)**

# INTERESTED IN HOSTING A CDITC TRAINING EVENT IN 2019?

WE ARE NOW PLANNING OUR 2019 TRAINING  
SCHEDULE AND WOULD LOVE TO BRING OUR  
TRAINING TO YOUR AREA!

PLEASE CALL US AT 1-800-465-5233 FOR MORE  
INFORMATION.



*“Training, Experience, and Expertise  
Defines the Professional”*

# 2018 INVESTIGATOR/PHILOSOPHER AWARD WINNER

**NANETTE CABRAL, CCDI**

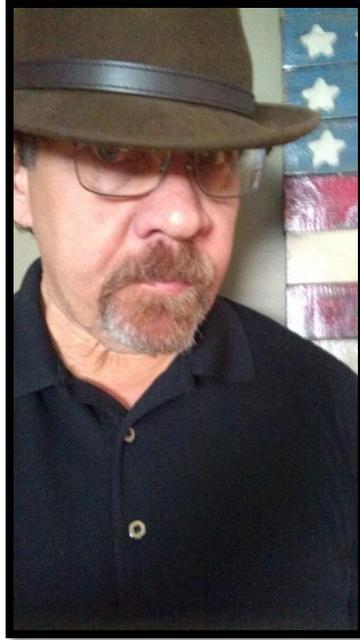


Nanette Cabral of Boston and Cabral Investigative Services is a true leader and dedicated truth seeker. She is a mentor, warrior and proven investigator worthy of knighthood. Her commitment to the defense of the United States Constitution and 6th Amendment is beyond reproach.

## CCDI FEATURED ARTICLE

### **Criminal Defense Investigations: A Method to the Madness**

*By: Stephen J. Koenig, CCDI*



My father was a football coach, teacher, and guidance counselor. He was a great communicator and used his Educational Psychology graduate degree in his and my mother's raising of their five children. I later learned that my father spoke of the K.I.S.S. Method of Football Coaching. 'Keep It Simply Simple' – or something to that effect. I looked at criminal defense investigations with a similar understanding,

- K.** Know your case.
- I.** Interview your witnesses.
- S.** Summarize your findings.
- S.** Support your attorney.

In pursuit of becoming a more serious-minded, criminal defense investigator, I came upon the *Criminal Defense Investigation Training Council*. CDITC is where I learned about the *Component Method*. The *Component Method*, developed by Brandon Perron, has become the national standard for training and certifying, public defender investigators. Many public defender offices around the country, have their in-house investigators certified, via this program. The *Component Method* is a road-map on how to conduct a criminal defense investigation. It brought me a deeper understanding, both intellectually and philosophically, of the process.

As part of the defense team, the investigator's job is to provide investigative support for their attorney. The investigator will be the face for that defense attorney when interviewing witnesses and sources of information. It is important that the investigator conduct themselves in a professional manner. The investigator should utilize positive interviewing techniques, be organized, and provide a well written summary of their findings.

The investigator should also attempt to stay educated on modern investigative techniques. This can be done via professional investigator associations. There you will meet like-minded investigators who are walking in your shoes every day. Professional criminal defense investigators, like April Higuera, are someone to emulate. I would invite everyone to read her book, *Making A Case for Innocence*.

We must  
balance the  
scales of justice  
as “Impartial &  
Objective  
Advocates of  
the Truth.”

My sister, an attorney, stated in an interview that the best advice she was ever given was that by our father. Advice that I recall him saying as well, “*Remember the common touch*,” which is a line from a Rudyard Kipling poem. It is important to understand that many of the defendants and witnesses you deal with will be poor and indigent people. Many of the homes and places you will visit will have very rough, living conditions and family life, at best, may be very dysfunctional. If you have no empathy for people in those situations, you should not be in this business. No matter who it is, I still use that “*common touch*” approach in interviewing witnesses and sources of information.

In the end, the criminal defense investigator’s approach should be a total team effort, and as Brandon Perron states, we *all* need to be, “impartial and objective advocates of the truth.”



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