

SAMUEL WIITA DWORKIN

P.O. Box 7753, Arlington, VA 22207 571-488-0523 (phone) Sam@DworkinInvestigations.com

EMPLOYMENT

Dworkin Investigations, LLC

April 2012 - Present

Investigator/ Mitigation Specialist/Expert

Duties include, but are not limited to:

- Formulating and implementing investigative strategies and mitigation themes for Criminal, Civil, Habeas, and Military Commissions cases (state and federal), as well as Juvenile Re-Sentencings.
- Identifying, locating, and interviewing any and all potential guilt phase and penalty phase witnesses.
- Conducting exhaustive and innovative investigation as well as records exploration, collection, and indexing to then analyze and present to defense team.
- Evaluating client through records examination, familial interviews, and in person interviews to formulate a complete bio-psycho-social history.
- Performing in depth public records and social networking site searches, as well as evidence collection for pre and post trial purposes.
- Testimony Provided as Court Qualified as a Mitigation Expert:
 - Superior Court of Telfair County (State of Georgia)
- Jurisdictions of Appointment:
 - Commonwealth of Virginia (*Multiple County Capital and Felony Cases in State Court*)
 - Commonwealth of Kentucky (*Multiple County Capital Cases in State Court*)
 - State of Tennessee (*County Capital Appeal in State Court*)
 - State of North Carolina (*County Capital Case in State Court*)
 - Office of the Chief Defense Counsel (*Military Commissions Proceedings at Guantanamo Bay, Cuba*)
 - Northern District of West Virginia (*Federal Capital Case*)
 - Eastern District of Virginia (*Federal Capital and Felony Cases in both the Alexandria and Norfolk Districts*)
 - Western District of Virginia (*Federal Capital Cases in Roanoke and Danville Districts*)
 - Western District of Missouri (*Federal Capital Case*)
 - District of South Carolina (*Federal Capital Habeas Case*)
 - Southern District of Ohio (*Eastern Division Capital Case*)
 - Middle District of Pennsylvania (*Federal Capital Case*)
 - Washington, DC Superior Court (*IRAA Juvenile Re-Sentencing and Felony Case Sentencings*)

Adjunct Professor at Marymount University

Fall 2013 - 2017 Semesters

“The Death Penalty and Mitigation” – A graduate level course in the Forensic and Legal Psychology Dept.

Duties include, but are not limited to:

- Providing a comprehensive history and origins of the death penalty in the United States.
- Discussing Virginia and other states’ statutes, rules of law, and procedures concerning capital cases.
- Providing insight into capital case mitigation, development of mitigation information, and integration into capital case sentencing.
- Coordinating with experts from across the country to be guest speakers to the students.
- Grading academic papers and assignments, and working with students to further their knowledge of capital cases and litigation.

Northern Virginia Capital Defender Office

July 2006- Jan 2012

Investigator/ Mitigation Specialist

Duties included, but were not limited to:

- Experience testifying in both pre-trial litigation and during trial in multiple Capital cases.
- Leading and conducting international investigative travel.
- Lead in hiring and supervising the fact investigation and mitigation investigation interns every session.
- Identifying, contacting, and consulting with experts from varying fields on issues such as, but not limited to, Demography, Neuropsychology, Forensic Entomology, and Cultural Psychology
- Creating materials and incorporating technology into defense team litigation (maps, spreadsheets, genealogies, PowerPoint presentations).
- Assisting defense team in Capital Voir Dire preparation as well as post verdict juror interviews.

OTHER EXPERIENCE

Northern Virginia Capital Defender Office

May-July 2006

Investigator/ Mitigation Specialist Intern

Duties included, but were not limited to:

- Conducting witness interviews for both capital case merits and penalty phase investigation.
- Conducting post-crime scene photograph and measurement collection, evidence reviews, and case specific research.
- Developing demonstrative exhibits and materials for experts and trial preparations.

Washington DC Metropolitan Police Dept.: Private Consultant

Fall 2005

- Conducted racial profiling research; inter-rater reliability, data collection in the form of traffic and public analysis, collection of observational data, and data entry.

EDUCATION

Marymount University, Arlington, VA

M.A. Forensic Psychology 2007

The Pennsylvania State University, University Park, PA

B.A. Psychology, May 2005

PUBLICATIONS

Masson, Tiffany R. (editor) (2016). *Inside Forensic Psychology*. Santa Barbara, CA. Praeger.

- Lead author of Chapter 4, *Capital Case Sentencing Evaluations*. A learning tool textbook intended to provide understanding about the various disciplines within the field of forensic psychology. Specifically, Chapter 4, *Capital Case Sentencing Evaluations*, focuses on the role of the forensic evaluator in cases of capital sentencing, highlighting the work as part of an interdisciplinary team with mitigation specialists and defense counsel.

LECTURES, TRAININGS, AWARDS

PRESENTATIONS:

- **NASAMS Conference** Baltimore, MD 2018
 - “*Fundamentals of Mitigation Practice*” and “*Mitigation Interviewing*”. Presentation to mitigation specialists, sentencing advocates and attorneys, during the Certificate Track of the annual NASAMS Conference. Presentations focused on developing and integrating social histories, sentencing theme development, and interviewing techniques and methods for interviewing mitigation witnesses. Served in both presenter and conference planner, and break out group mentor.
- **NASAMS Conference** Philadelphia, PA 2018
 - “*Federal Death Authorization*”. Presentation to mitigation specialists, sentencing advocates and attorneys, at the annual NASAMS Conference. Presentations highlighted an overview of the federal death penalty authorization process, with focus on: Timeframes, Strategy, Past and Present Trends, the Mitigation Submission and Presentation, as well as other related matters.
- **NASAMS Sponsored Webinar** Washington, DC 2019
 - “*Working on Juvenile Re-Sentencing Cases*”: Webinar presented to NASAMS and NLADA members. Focus on several issues pertinent to current juvenile re-sentencing cases, including: Legal and Case News Updates, Memo Writing, Challenges with Records and Witnesses, Addressing Juvenile Diagnoses, Framing Adjustment to Incarceration, Victim Outreach, and other related issues.
- **Virginia Trial Lawyers Association Criminal Law Seminar** Fairfax, VA 2018
 - “*Mitigation and Sentencing Investigation: Fundamentals, Purpose, Methods*”. Presentation to Virginia Trial Lawyers. Presentations focused on the benefits of utilizing and implementing mitigation and sentencing investigations in all phases of criminal trial proceedings and across various case matter facts (i.e. client relations, litigation, resolution, etc.).

- **NASAMS Conference** Philadelphia, PA 2018
 - “*Fundamentals of Mitigation Practice*” and “*Mitigation Interviewing*”. Presentation to mitigation specialists, sentencing advocates and attorneys, during the Certificate Track of the annual NASAMS Conference. Presentations focused on developing and integrating social histories, sentencing theme development, and interviewing techniques and methods for interviewing mitigation witnesses. Served in both presenter and conference planner, and break out group mentor.
- **William and Mary: The Law of Capital Punishment** Washington, DC 2018
 - “*Mitigation, Mental Illness, and Intellectual Disability Investigation*”. Presentation to students of the College of William and Mary. Co-Presenters with Ellen Shultz and Dr. Joette James. Presentation focus on mitigation specific investigation, such as: Mitigation Themes, Developing Narratives, Records Review, Mitigation Interviewing, Severe Mental Illness, and other topics.
- **Washington DC Public Defender Service** Washington, DC 2017
 - “*Mitigation Investigation for IRAA*”. Presentation to CJA panel attorneys handling IRAA (Incarceration Reduction Amendment Act) cases, a DC response to *Miller* and *Graham* opinions. Presentation focus on mitigation specific investigation, such as: JLWOP language from APA amicus briefs, Mitigation research, Narratives, Records review, and other topics.
- **NASAMS Conference** Baltimore, MD 2017
 - “*Fundamentals of Mitigation Practice*”. Presentation to mitigation specialists, sentencing advocates and attorneys, and defense teams examining the role and function of mitigation investigation that can be used universally on felony, capital, or juvenile LWOP cases. Topics include: Developing and integrating forensic social histories; Interviewing; Records research, collection, and analyzation; Sentencing theme development; and other case related topic areas.
- **Humboldt University School of Law** Berlin, Germany 2016
 - “*Open Panel Discussion on Criminal Defense in America*”. Presentation to University Law School students on the topics of: The Death Penalty in the U.S.; Defense Investigation and Mitigation in Criminal Cases; Interactive Mock Jury Selection, Trial Demonstration, and Deliberation (where attendees will act as potential jurors in an American criminal case); Discussion of Criminal Justice Implications of the U.S. Presidential Election.
- **Life in the Balance: Capital Mitigation and Investigation Conference** Houston, TX 2016
 - “*Telling the Client’s Story at All Phases*”. Presentation to capital defense practitioners attending the NLADA conference. Presentation focused on utilizing mitigation and the social history investigation for purposes during pre-trial litigation, in negotiations, and during trial. Discussion about preparation and presentation not only for jury sentencing, and the ability to tell the client’s story in multiple ways and for multiple audiences. Session broken down into 4 parts: 1) When and where to develop the client’s life story, 2) How to develop mitigation, 3) Presenting the client’s life story to various stakeholders, 4) Case examples the lead to life pleas and appreciative clients.
- **Life in the Balance: Capital Mitigation and Investigation Conference** Houston, TX 2016
 - “*Cultural Considerations in Capital Mitigation*”. Presentation to capital defense practitioners attending the NLADA conference. Presentation focused on conducting mitigation investigation when client is of a different culture. Race, ethnicity, heritage, locality discussed as factors to consider when formulating the team, conducting investigation, and representing client. Discussion covered conceptual as well as logistical matters in mitigation investigation. Organizations of aid, domestic and international treaties, litigation, and other matters discussed as well in the context of culturally competent investigation and representation.

- **Life in the Balance: Capital Mitigation and Investigation Conference** _____ Houston, TX 2016
 - “*Foreign Nationals and Terrorism Cases*”. Presentation to capital defense practitioners attending the NLADA conference. Presentation focused on the aspects of a criminal defense cases of a foreign national or accused terrorist, as compared to other criminal cases. Emphasis on the unique and often different perspectives of this client population; differences in conducting mitigation investigation; unconventional litigation examples; areas and pitfalls to be wary of; and more. Cases examples provided regarding a non-capital ISIS defendant, a capital Guantanamo Bay detainee case, and other capital cases involving foreign national defendants.
- **Life in the Balance: Capital Mitigation and Investigation Conference** _____ Houston, TX 2016
 - “*The Fundamentals of Effective Mitigation*”. Presentation to capital defense practitioners attending the NLADA conference. Presentation focused on the role and function of mitigation investigation. Discussion of the mission and objectives of mitigation with references to applicable case law and guidelines and the basics of developing and integrating a forensic social history investigation into legal case strategy. Discussion topics included interviewing defendants, family members, and other collateral sources; locating, requesting, and reviewing social history records; documentation and report writing; sentencing theme development; commonly observed mental health disorders and identifying symptomology; demonstrative exhibits, and more.
- **23rd Annual VA Bar Association Capital Defense Workshop** _____ Richmond, VA 2015
 - “*Telling the Client’s Story at All Stages*”. Presentation to members of the Virginia Bar Association, specifically capital defense practitioners. Presentation focused the methods and ways to integrate the mitigation investigation and client biopsychosocial history narrative into the various stages of a capital case (pre-trial litigation, victim out reach, plea negotiations, etc.). Examples provided of client appreciation, motions, difficult circumstances, as well as others.
- **VA Indigent Defense Commission Initial Capital Certification Training** _____ Charlottesville, VA 2015
 - “*Mitigation Investigation*”. Presentation to Virginia attorneys seeking Capital Case certification through the VA Indigent Defense Commission. Presentation focused on an overview of mitigation investigation: Interviewing and working with the client and collateral witnesses; Obtaining records; Common mental health diagnoses; Exhibits and other topic specific matters.
- **Washington and Lee University: VA Capital Case Clearinghouse** _____ Lexington, VA 2014
 - “*Mitigation Investigation*”. Presentation to students in the Virginia Capital Case Clearinghouse clinic at Washington and Lee University Law School. Presentation focused on an overview of mitigation investigation: Interviewing and working with the client and collateral witnesses; Obtaining records; Common mental health diagnoses; Exhibits and other topic specific matters.
- **21st Annual VA Bar Association Capital Defense Workshop** _____ Richmond, VA 2013
 - “*Creative Resources: How to Get the Stuff You Need*”. Presentation to members of the Virginia Bar Association, specifically capital defense practitioners. Presentation focused on recruitment and utilization of capital case assistance; Records requests; Organizational templates and examples; Online and social media resources; and other topic related resources.
- **Campaign for Fair Sentencing of Youth, Annual Convening** _____ Washington, DC 2012
 - Presenter on a panel discussion breakout session regarding *Miller v. Alabama* and Juvenile Life Without Parole Sentencings. Specifically presented on conducting mitigation investigations, life history checklists, building a mitigation narrative of the client, and other sentencing and investigation related matters.
- **18th Annual VA Bar Association Capital Defense Workshop** _____ Richmond, VA 2010
 - “*Investigating Foreign National Capital Cases*”. Presentation to members of the Virginia Bar Association, specifically capital defense practitioners. Presentation focused on issues in capital defense particular to conducting mitigation investigations when representing a foreign national client, such as: Working and consulting with Embassies and Consulates, Reprieve, MCLAP and other organizations; Practical and logistical considerations in conducting mitigation investigations abroad; Cultural competency; and other topic specific issues.

- **Marymount University hosting London Metropolitan University Students** _____ Arlington, VA 2009
 - “*Capital Mitigation and Investigation*”. Presentation to criminal justice students from the London Metropolitan University studying abroad in the United States. Presentation touched on an overview of capital case history and issues in the US, focusing on mitigation investigation: Interviewing and working with the client and collateral witnesses; Obtaining records; Common mental health diagnoses; Exhibits and other topic specific matters with case examples.
- **Marymount University hosting London Metropolitan University Students** _____ Arlington, VA 2007
 - “*Capital Mitigation and Investigation*”. Presentation to criminal justice students from the London Metropolitan University studying abroad in the United States. Presentation touched on an overview of capital case history and issues in the US, focusing on mitigation investigation: Interviewing and working with the client and collateral witnesses; Obtaining records; Common mental health diagnoses; Exhibits and other topic specific matters with case examples.
- **George Mason University: Undergraduate Students in Criminal Justice** _____ Manassas, VA 2006
 - “*Capital Mitigation and Investigation*”. Presentation to criminal justice students at George Mason University. Presentation touched on an overview of capital case issues, focusing on mitigation investigation: Interviewing and working with the client and collateral witnesses; Obtaining records; Common mental health diagnoses; Exhibits and other topic specific matters with case examples.

TRAININGS AND CONFERENCES ATTENDED:

- **27th Annual VA Bar Association Capital Defense Workshop** _____ Richmond, VA 2019
 - Planning Committee Member and Attendee. Conference topics focused Legal Developments, Cultural Competence, Federal Death Penalty, Remorse, Clients with Mental Illness and Disabilities; and other sessions.
- **Mitigation Training by the Federal Public Defender for EDVA** _____ Richmond, VA 2019
 - Conference topics focused on Mental Health Evaluation in Child Pornography Cases, Common Sentencing Mistakes, and The First Step Act.
- **16th Annual Seminar on the Development and Integration of Mitigation** _____ Philadelphia, PA 2019
 - Conference topics focused on Ethics, Trauma, Redemption, Ethnocultural Issues in Psychiatric Assessment, Autism Spectrum Disorders, Race and Mitigation, The Capital Jury Project, and other main and breakout sessions.
- **25th Annual Federal Death Penalty Strategy Session** _____ San Diego, CA 2017
 - Attendance of the 25th Annual Federal Death Penalty Resource Counsel Project Strategy Session. Plenary topics focusing on juror decision-making, mitigation, gang case mitigation, federal case reviews, and other matters. Specific small group sessions focusing on federal case budgeting and mitigation presentations as they address the pre-authorization process.
- **25th Annual VA Bar Association Capital Defense Workshop** _____ Richmond, VA 2017
 - Planning Committee Member and Attendee. Conference topics focused on Disability Accommodations; Mitigation and ASPD Diagnosis; Appeals and Ethics; Police Interrogations; Social Media and Web based Investigation; and other sessions.
- **14th Annual Seminar on the Development and Integration of Mitigation** _____ Baltimore, MD 2017
 - Attendance of the 14th Annual National Seminar on the Development and Integration of Mitigation Evidence. Topics included: Capital Jury Project findings; Defense outreach to victims’ survivors; Neuropsychology and mitigation; Race and cultural competency; Intellectual Disability testing,

Atkins, and Adaptive Functioning matters; and other mitigation and capital specific topics.

- **24th Annual VA Bar Association Capital Defense Workshop** Richmond, VA 2016
 - Planning Committee Member and Attendee. Conference topics focused on Transformative Mitigation; Eliciting Compelling Narratives; Admissibility of Forensic Evidence; New Litigation from DPIC; Unconscious Bias; Prosecutors' Perspective on the Death Penalty; the SCRUM Guide for teamwork; and other sessions.
- **23rd Annual Federal Death Penalty Strategy Session** Ft. Lauderdale, FL 2015
 - Attendance of the 23rd Annual Federal Death Penalty Resource Counsel Project Strategy Session. Plenary topics focusing on juror decision-making, mitigation, forensics and litigation implications, federal case reviews, and other matters. Specific small group sessions focusing on federal case budgeting and mitigation presentations as they address the pre-authorization process.
- **20th Annual National Federal Habeas Corpus Seminar** Charlotte, NC 2015
- Attendance of the 20th Annual National Federal Habeas Corpus Seminar. Plenary topics focusing on emerging ethical issues, post-conviction investigation, conditions of confinement, federal case reviews, and other matters. Specific small group sessions focusing on drafting social history narratives and representing foreign nationals presentations as they factor into post-conviction procedures.
- **22nd Annual VA Bar Association Capital Defense Workshop** Richmond, VA 2014
 - Planning Committee Member and Attendee. Conference topics focused on *Atkins* case litigation and implications; Forensics issues such as investigating and litigating cooperating witnesses and confidentiality in the digital age; Mental health symptomology; Defense Initiated Victim Outreach; and other capital case specific topics.
- **11th Annual Seminar on the Development and Integration of Mitigation** Philadelphia, PA 2014
 - Attendance of the 11th Annual National Seminar on the Development and Integration of Mitigation Evidence. Topics included: The deconstruction of psychiatric labels; Modern mitigation tools; Victims' perspective; The DSM 5; and other mitigation and capital specific topics.
- **Capital Case Specific Training** Lexington, VA 2013
 - Attendance of a bring your own case training hosted at Washington and Lee University's VA Capital Case Clearinghouse project. Discussion and consultation with other statewide capital defense practitioners. Specific case ultimately resulted in resolution and avoidance of death sentence.
- **Building Capacity to Implement *Miller v. Alabama*; Equal Justice Initiative** Atlanta, GA 2012
 - Invitation and attendance of national training program focused on building capacity among experts in corrections, mental health, and mitigation to work with lawyers and sentencing investigators on *Miller v. Alabama* resentencing cases.
- **20th Annual VA Bar Association Capital Defense Workshop** Richmond, VA 2012
 - Planning Committee Member and Attendee. Conference topics focused on *Brady* case and client implications; Prosecutor perspectives panel discussion; Team building; Methods of execution litigation; Traumatization of clients and witness; and other capital case specific topics.
- **Capital Defense Mental Health Training III; ACLU** Cleveland, OH 2011
 - Attendance and participation in bring your own case styled training. Plenary sessions and small group workshops with a client centered approach and focusing exclusively on mental health issues in capital cases. Topics addressed brain development and disorders, cognitive and developmental issues, trauma, substance abuse, specific mental illnesses and conditions, race and cultural competency in mental health assessments, strategies for effective representation of a mentally ill client, and the impact of client mental health issues at every step in capital case proceedings.

- **Sentencing Advocate and Mitigation Specialist Conference** Richmond, VA 2011
 - Attendance of conference hosted by the Virginia Indigent Defense Commission. Topics included technology and case organization regarding records and witness narratives; Mapping in the contexts of crime statistics, demographics, socio-economic characteristics, and other categories for trial exhibit creation; Mitigation storytelling; and other sentencing related topics.
- **17th Annual VA Bar Association Capital Defense Workshop** Richmond, VA 2009
 - Attendance of conference with topics focused on Legal updates in capital defense legislation and litigation; Mitigation and client centered investigation and teamwork; Forensics; Ethics; and other capital case specific topics.
- **Capital Case Specific Training** Lexington, VA 2008
 - Attendance of a bring your own case training hosted at Washington and Lee University's VA Capital Case Clearinghouse project. Discussion and consultation with other statewide capital defense practitioners. Specific case ultimately resulted in resolution and avoidance of death sentence.
- **16th Annual VA Bar Association Capital Defense Workshop** Richmond, VA 2008
 - Attendance of conference with topics focused on Legal updates in capital defense legislation and litigation; Mitigation and client centered investigation and teamwork; Forensics; Ethics; and other capital case specific topics.
- **5th Annual Seminar on the Development and Integration of Mitigation** Baltimore, MD 2008
 - Attendance of the 5th Annual National Seminar on the Development and Integration of Mitigation Evidence. Topics included: Juror decision making in capital cases; Mitigation's role in settling cases; Victim outreach; Impact of incarceration; Cultural competency; Psychological testing, Atkins, and FAS issues; and other mitigation and capital specific topics.
- **VA Capital Representation Resource Center Mitigation Workshop** Charlottesville, VA 2008
 - Attendance of small group workshop with topics focused on mitigation investigation and building upon the basic framework of capital defense litigation and sentencing.
- **15th Annual VA Bar Association Capital Defense Workshop** Richmond, VA 2007
 - Attendance of conference with topics focused on Legal updates in capital defense legislation and litigation; Mitigation and client centered investigation and teamwork; Forensics; Ethics; and other capital case specific topics.
- **National Capital Defense Seminar for Mitigation Specialists** San Francisco, CA 2007
 - Attendance of conference hosted by the Capital Appellate Project along with the National Association of Criminal Defense Lawyers. Topics focused on Mitigation and client centered investigation and teamwork; Gangs; Drafting narratives; and other capital case specific topics.
- **4th Annual Seminar on the Development and Integration of Mitigation** Washington, DC 2007
 - Attendance of the 4th Annual National Seminar on the Development and Integration of Mitigation Evidence. Topics included: Foreign national cases and investigation; Facilitating remorse; Law for mitigation specialists; Neuroimaging; Working with historical witnesses; and other mitigation and capital specific topics.
- **Sentencing Advocate and Mitigation Specialist Conference** Richmond, VA 2007
 - Attendance of conference hosted by the Virginia Indigent Defense Commission. Topics included: Social history narratives; Witness and client interviewing techniques; Mitigation storytelling; and other sentencing related topics.

AWARDS:

- **Marie Deans Award:** Presented by the Northern Virginia Capital Defender Office _____ 2013
 - “For exemplary mitigation and investigation services, excellence in capital representation, and preservation of the dignity of our community’s clients”
- **Distinguished Alumnus Award:** Presented by Marymount University Forensic Psychology Dept. 2010
 - “In honor of his generosity to Marymount’s Forensic Psychology students”

MISCELLANEOUS

Communication: Presentation, testimony, and teaching experience.

Personal: Extensive foreign travel experience (both personally and professionally) including but not limited to: Russia, China, Europe, the Middle East, and Mexico.

Technology: Up to date technology skills and applications, including web, media, editing, and photography.

Other: Certified Notary Public (VA), Registered Private Investigator (VA DCJS), Executive Committee member of the National Alliance of Sentencing Advocates and Mitigation Specialists (NASAMS), Member of the National Defender Investigator Association (NDIA), Member of the Private Investigators Association of Virginia (PIAVA).