



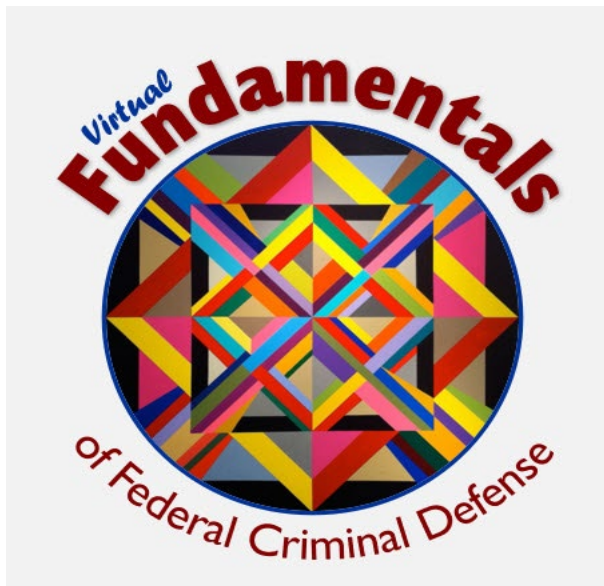
## Fundamentals of Federal Criminal Defense, Part III – Virtual

Administrative Office of the U.S. Courts,  
Defender Services Office Training Division

June 20 & 22, 2023

All Times are Eastern Daylight Time (EDT)

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Fundamentals is designed for those new to federal criminal defense practice and addresses topics that you will likely encounter in your practice. This is the third part of virtual Fundamentals of Federal Criminal Defense. Part one took place on February 17 through May 12, 2021 (available with fd.org credentials [here](#)). Part two took place on January 19 through February 2, 2022 (available with fd.org credentials [here](#)). This third part of virtual Fundamentals complements the courses from the last two years, focusing on immigration consequences, relevant conduct under the Guidelines for firearms and drug cases, defending firearms cases (updated), and an update on *Bruen* and *Rehaif* developments.

This virtual seminar will include four live presentations (which will be recorded) on the GoToWebinar virtual event platform. Instructions on how to join this virtual seminar will be emailed to you from [noreply@goto.com](mailto:noreply@goto.com) after you register. Check your spam/junk email if you don't see a confirmation email. Detailed instructions are also available at <https://www.fd.org/fundamentals-federal-criminal-defense-part-iii-virtual>.

**This program is open to everyone working with federal defender and CJA panel attorneys. Yes, that means attorneys and non-attorneys, investigators, paralegals, legal assistants, and any defense professional who will find the program's content valuable to their work are welcome to attend.** If you have questions about the content of this workshop, please contact [George.Couture@ao.uscourts.gov](mailto:George.Couture@ao.uscourts.gov).

Continuing Legal Education (CLE) accreditation for this program will be sought in all applicable jurisdictions. See [CLE Information Center](#) and [CLE FAQs](#) for more information.

Thank you for joining us on this journey in this third iteration of virtual Fundamentals.

Tuesday, June 20, 2023

**1:00-2:00 p.m.      Immigration Consequences of Criminal Convictions**

Kari E. Hong, *Assistant Professor of Law, Boston College of Law, Boston, MA*

This session will provide an overview of aggravated felonies, CIMTs (“crime involving moral turpitude”), inadmissibility grounds, deportability grounds, and criminal bars to asylum. The discussion provides an overview on analyzing state convictions and provide tips on how to develop “safe harbor” pleas that avoid immigration consequences.

**2:00-2:15 p.m.      Break**

**2:15-3:30 p.m.      Back to the Future – Challenges to Federal Firearm Cases Based on Recent Supreme Court Decisions in *Bruen* and *Rehaif***

Adeel Bashir, *Assistant Federal Defender, Office of the Federal Defender for the Middle District of Florida, Orlando, FL*

In recent years, the Supreme Court has issued groundbreaking decisions about the analytical framework courts must use for assessing the constitutionality and legality of restrictions on firearm possession. The result of these decisions has transformed the legal landscape, opening up a whole host of new challenges to many longstanding federal gun crimes. This session will examine two notable decisions – *New York State Rifle & Pistol Assn., Inc. v Bruen*, 142 S. Ct. 2111 (2022) (adopting a historical-based test for Second Amendment challenges), and *Rehaif v. United States*, 139 S. Ct. 2191 (2019) (addressing the mens rea required for a prosecution under 18 U.S.C. § 922(g)) – and the new frontier of federal criminal firearm litigation that has arisen as a consequence of these decisions.

**Thursday, June 22, 2023**

**1:00-2:00 p.m.      Navigating Relevant Conduct for Guns and Drugs Under the Guidelines**

Kathryn Shephard, *Appellate Litigation Counsel, Office of the Federal Defender for the Southern District of Texas, Houston, TX*

Relevant Conduct (USSG Section 1B1.3) presents a host of challenges to new federal criminal defense practitioners. This session will provide the basics of relevant conduct and a framework to determine which acts may be considered relevant conduct and the impact on your client's sentencing guideline range.

**2:00-2:15 p.m.      Break**

**2:15-3:15 p.m.      Gun Cases and the Art of War, Updated**

Dumaka Shabazz, *Assistant Federal Defender, Office of the Federal Defender for the Western District of Tennessee, Nashville, TN*

Across the nation, we are seeing a rise in firearms prosecutions. This session will explore various strategies and practical tips for defending a firearms case. We will discuss issues ranging from initial investigations, knowledge of firearms, pretrial strategies, negotiations, trial defenses, and *Bruen* and *Wooden* challenges. For illustrative purposes, we will analyze different fact patterns and discuss how to proceed at each stage of representation.