

## NHACDL DUI CLE November 17, 2023

### Speaker Bios

**Joseph Bernard (MA)** – Attorney Bernard shut down the breath test system of Massachusetts for eight years. As lead defense counsel in Commonwealth v. Ananias, et. al., 1248CR001075, the statewide consolidated litigation challenging the scientific reliability of breath testing in Massachusetts, he persuaded the court that proper calibration protocols are necessary for reliable breath test results and exposed egregious misconduct in the Massachusetts Crime Laboratory. Attorney Bernard obtained a BA from Clark University and his law degree from Western New England College School of Law. His Massachusetts law firm focuses on OUI defense. He delves deeply into the science of impairment, the forensic standards of breath and blood testing for both alcohol and drugs, and the accuracy and precision of forensic laboratories. Attorney Bernard is the only lawyer in Massachusetts to have completed the world-renowned Robert F. Borkenstein courses in both alcohol and drugs, teaching subjects relating to the principles of pharmacology, pharmacokinetics and the effects of alcohol and drugs, standards in the forensic laboratory, and the advancement of testing for impairment. He has also completed multiple courses in gas chromatography and standardized field sobriety testing. He has been nationally recognized for Trial Advocacy by the National College of DUI Defense, named Lawyer of the Year in 2018 by Massachusetts Lawyers Weekly, and been locally honored by the Hampden County Bar Association in 2018 with the Kent B. Smith Award given to an outstanding citizen of the law community and a dedicated contributor to the advancement of the practice of criminal law. Joseph is the author of the Massachusetts practice series volume 50 on Drunk Driving Defense (West – Thompson Reuter). He speaks regularly at seminars on operating under the influence issues, the science of OUI cases, and the standards for forensic laboratories.

**Kaylee Doty** – Attorney Doty was born and raised in Phoenix, Arizona. She graduated from Arizona State University with a Bachelor of Science in Political Science. Prior to attending law school, she worked as a paralegal in Phoenix, assisting with criminal defense and personal injury cases. Attorney Doty earned her Juris Doctorate from the University of New Hampshire School of Law, where she was a three-year recipient of the Dean's Scholarship. Upon graduation, she joined the law firm of Lothstein & Guerriero, PLLC where she focuses on criminal defense work, the defense of civil restraining and stalking orders, and appellate litigation.

**Len Harden** – Attorney Harden is once-again the wizard behind the curtain helping to select topics and recruit speakers for NHACDL's biannual DUI CLE. He dedicates many hours per year to attending continuing education courses on DUI defense around the country and has studied all aspects of these cases intensely over the course of his long career. Attorney Harden has served on an editorial board for James Publishing, Inc. and written a chapter on breath testing in a book published by Massachusetts Continuing Legal Education, Inc. (MCLE) focusing on NH DWI defense. He is certified according to the National Highway Traffic Safety Administration (NHTSA) to administer and instruct the SFSTs and is also certified to operate, maintain and repair the Intoxilyzer 5000. Attorney Harden grew up in Buffalo, NY and attended Queen's University and the UNH Law School. He maintains offices in Lancaster, Littleton and Lebanon, NH. He will assist with the trial skills training.

**Christopher Johnson** – Attorney Johnson attended Carleton College and received his law degree from Harvard University. He is the Chief Appellate Defender for the State of New Hampshire with the New

Hampshire Public Defender's Office. He has also served as a professor at UNH Law and a staff attorney at the Southern Center for Human Rights in Atlanta, Ga. There, Johnson represented defendants in death penalty cases in Georgia and Alabama. Attorney Johnson has argued cases in the United States Courts of Appeals for the First and Eleventh Circuits, as well as in the appellate courts of Georgia, Alabama and New Hampshire. He was a recipient of a Fulbright Fellowship in the law faculty at the University of Turku, Finland. While there, he taught a course, conducted research on the Finnish criminal justice system, and gave lectures at the Supreme Court of Finland and at the University of Lapland.

**Mark Stevens** – Attorney Stevens will assist as a NH DUI expert for the trial skills training on November 16. He practices in NH and Massachusetts from his firm in Salem, NH. Attorney Stevens has taught CLEs on DWI topics to other criminal defense lawyers in New Hampshire, Massachusetts and Maine. He has also received hundreds of hours of formal training in DWI and criminal defense topics including breath testing, blood testing and field sobriety testing. Attorney Stevens has been certified as a breath test operator and certified to maintain and repair breath test machines. He has also been trained in the administration of “field sobriety testing” the same training received by the police officers who arrest citizens accused of driving while intoxicated. He has also completed the “Forensic Blood and Urine Testing” course in Atlanta, Georgia, the “Mastering Scientific Evidence in DWI Cases” in Dallas, Texas and in Atlanta, Georgia, and the “Marine Field Sobriety Testing” (the “field sobriety testing” used by police in boating while intoxicated cases). He has been an invited speaker at police academies in New Hampshire and Massachusetts. Attorney Stevens is the editor of “A Practical Guide to Trying DWI Cases in New Hampshire,” published by Massachusetts Continuing Legal Education (“MCLE”), Inc. He is the editor of the “2010 New Hampshire DWI Textbook” and authored two of the chapters. Attorney Stevens co-authored “Juror Voir Dire in Massachusetts Criminal Practice,” published by Massachusetts Continuing Legal Education (“MCLE”), Inc. in 2015. He completed the National College of DUI Defense eleven times. In 2005, he was appointed to the Board of Directors of the American Association of DWI Trial Lawyers (AADTL). He has appeared as a legal analyst on television and radio. He also hosts his own weekly radio show, The Attorney Mark Stevens Show on WSMN Radio AM 1590 in Nashua, New Hampshire. Attorney Stevens received his Bachelor of Arts degree from the University of New Hampshire in Durham, NH and his Law Degree from the Massachusetts School of Law in Andover, MA.

**Mark Thiessen (TX)** – Attorney Thiessen was born and raised in Houston, Texas. He graduated from Texas Christian University in 2000 with a BA in Business Administration Marketing. Following his time at TCU, he returned to Houston and began his law school education at South Texas College of Law. Attorney Thiessen's legal education also included studying International Criminal Law at the University of Malta, the BPP Law School in London, England and the University of Hawaii. After law school, Attorney Thiessen practiced civil law at Bell, Ryniker & Letourneau and at Brown Sims, P.C. In 2006, he followed his passion for criminal law by joining the team at Trichter & Murphy, P.C. After five years there, he started his own law shop, Thiessen Law Firm. Although his practice includes all areas of criminal defense, Attorney Thiessen specializes in cases regarding DWI, drugs, and controlled substances. He is the current DWI Committee co-chair and on the Board of Directors for the Texas Criminal Defense Lawyers Association (TCDLA), the 50th President and on the Board of Directors for Harris County Criminal Lawyers Association (HCCLA) and a Charter Member and Treasurer and Director for DUI Defense Lawyers Association (DUIDLA).

**John Webb (ME)** – Attorney Webb was born in Sanford, Maine where he still lives and works. He obtained a BS from the Maine Maritime Academy and worked as a mechanical engineer in the Navy and

his law degree from the Vermont Law School. Attorney Webb operates the Webb Law Firm, specializing in criminal defense. He has extensive experience in DUI and OUI cases and has received recognition and accolades for his work in DUI defense. He is a sought-after teacher and presenter of CLEs.

**Eric Wilson** – Attorney Wilson is a native of Nashua and attended Nashua High School. After graduation, he served in the United States Marine Corps. Following his enlistment, he obtained a bachelor's degree from Keene State College and his law degree from the University of New Hampshire School of Law. Attorney Wilson started his legal career in 1992 as a trial associate with the Nashua firm of Kinghorn & Maynard. He continued his career in 1998 when he, John Durkin and Timothy Bush formed Wilson, Durkin and Bush, P.C. Attorney Wilson focuses on criminal defense and specialized in the successful defense of DUI cases. He has previously taught several NHACDL and NH Bar Association CLEs.