

Mark D. Cohen
Adjunct Professor of Law
Touro Law Center
225 Center Drive
Central Islip, New York 11725
(Ret.) Judge NYS Court of Claims, Acting Justice, NYS Supreme Court

Curriculum Vitae

Professional Experience

2006-2020	Judge, New York State Court of Claims Acting Justice, New York State Supreme Court
2015-2020	Supervising Judge, Felony Criminal Term, 10 th Judicial District (Suffolk)
2001-2006	New York State Office of Homeland Security (Formerly Office of Public Security); Acting Director (2003); Deputy Director (2002-2006); Assistant Director, Legal Division; Chief Counsel (2001-2006)
1976-2001	Suffolk County District Attorney's Office Chief Assistant District Attorney (1989-2001); Chief Law Assistant (1985-1989); Bureau Chief, Appeals Bureau (1983-1991); Deputy Bureau Chief-Special Investigations Unit (1982-1983); Assistant District Attorney (1976-1981) Appeals Bureau; Grand Jury Bureau; Felony Trial Bureau; Special Investigations Unit
1975-1976	Law Clerk to Justice David A. Rose Massachusetts Appeals Court Boston, Massachusetts

Faculty Appointments

1993 - Present	Adjunct Professor of Law, Touro Law Center,
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	Central Islip, New York
2010-Present	N.Y.S. Judicial Institute (Numerous Programs) White Plains, New York
2000-2002	Special Lecturer S,U.N.Y. Stony Brook Political Science Department
1998-2003	National District Attorneys Association National Advocacy Center Columbia, South Carolina
2001-2003, 2006	National College of District Attorneys Columbia, South Carolina

Education

	Hofstra Law School Hempstead, New York Juris Doctor, June 1975 Editor, Law Review Member, Law Fellows Labor Law Award
1970-1972	Columbia College, Columbia University; B.A. Degree (History); Dean's List
1968-1970	S.U.N.Y. Stony Brook, Stony Brook, New York (History); Dean's List (Transferred to Columbia)

Committee and Board Memberships

2017 - Present	Member, Unified Court System Guide to New York Evidence Committee
2018 - Present	Member, N.Y.S. Continuing Legal Education Board
2019 - 2020	Member, O.C.A. New Criminal Justice Legislation Implementation Committee

2015-2020

Member, Suffolk County Criminal Justice
Coordination Committee

Publications

Contributing Author, "*Doing Justice: Prosecutorial Ethics and Civil Liability*," National College of District Attorneys, [2nd Ed. 2007]; [1st Ed. 2001]

Article: "*Free Will and Intent in a Pressing Environment - Moral and Legal Responsibility*," Institute of Jewish Law, Touro Law Center [2005]

Article: "*Supreme Court Update: Selected Cases 2000-2001*," National College of District Attorneys, The Practical Prosecutor [Fall 2001 Ed.]

Article: "*The Top Ten: A Practical Pre-Trial Ethics Primer for Prosecutors*," National College of District Attorneys The Practical Prosecutor [Spring 2001 Ed.]

Symposium: "*The Adversarial vs. Inquisitorial Systems: Reflections on the O.J. Simpson Trial*," Institute of Jewish Law, Touro Law Center [December 1995]

Symposium: "*Conflicts of Interest in Civil Rights Actions Against Police Officers - Post Rodney King/Civil Rights Prosecutions*," 9 J. Suffolk Acad. Law 53 [1994]

Article: "*New York v. Kirman/Israel v. Kirman: Prosecution in Tel Aviv For a Narcotics Offense Committed in New York*," 4 Criminal Law Forum 597 (1993)

Selected Professional Activities

1990-2020	Co-Presenter, “ <i>Annual Criminal Law and Procedure Update</i> ,” Nassau and Suffolk Academies of Law, Nassau and Suffolk Bar Associations
2008-2019	Co-Presenter, “ <i>Annual Criminal Law and Procedure Update</i> ,” N.Y.S. Court of Claims Annual Conferences
1985-2001, 2005-2020	Co-Lecturer, “ <i>Annual Criminal and Procedure Law Update</i> ,” Suffolk County Criminal Bar Association
2010-2013, 2017-2019	Presenter, Annual Criminal Update, N.Y.S. County Judges Association Conferences
2017-2019	Presenter, “ <i>Annual Criminal Law Update</i> ,” N.Y.S. District Court Judges Annual Conferences, Watkins Glen, New York
2018, 2020	Presenter, Appellate Division: Third Department “ <i>Criminal Law and Procedure Update</i> ,” Albany, New York
1/14/18, 1/12/19, 1/10/20, 1/12/21	Co-Presenter, N.Y.S. Judicial Institute, New Judges Seminar, “ <i>Pre-Trial Motions and Hearings for New Judges</i> ,” White Plains, New York
1/14/21	Co-Presenter, N.Y.S. Judicial Institute, New Judges Seminar, “ <i>Nuts and Bolts for New Judges: Trials</i> ”
1/12/21	Co-Presenter, N.Y.S. Judicial Institute, New Judges Seminar, “ <i>Fundamentals of Evidence Workshop</i> ”
1/10/21	Presenter, Touro Law Center, “ <i>Perfect for Practice: Criminal Law and Procedure Update</i> ”

12/3/20	Presenter, Suffolk County District Court Judges: “ <i>Criminal Discovery: Civil Rts. L. 50-a Repeal</i> ”
11/5/20	Presenter, Suffolk Academy of Law: “ <i>Hearsay Within Documents</i> ”
10/8/20	Co-Presenter, N.Y.S. Judicial Institute, “ <i>Criminal Law and Procedure Update</i> ”
9/1/20	Presenter, N.Y.S. Judicial Institute, “ <i>Lesser Included Offenses</i> ”
8/19/20	Presenter, N.Y.S. Judicial Institute “Criminal Update” for New York State Judicial Hearing Officers
6/29/20	Co-Presenter: “Remote Proceedings In The Age of COVID-19: Experiences From the Trenches,” N.Y.S. Judicial Institute
5/18/20	Presenter, N.Y.S. Judicial Institute “ <i>Big Brother is Watching: But Not Without a Warrant: Fourth Amendment Implications of Electronic Evidence</i> ”
6/15/20 & 6/18/20	Co-Presenter: N.Y.S. Judicial Institute, “ <i>Trial Issues 101 For Judges</i> ”
2/4/20	Presenter, N.Y.S. Judicial Institute, Government of Myanmar Judicial Officials, “ <i>New York Criminal Justice,</i> ” White Plains, New York
1/12/20	Presenter, Touro Law Center, CLE For Recent Graduates: “ <i>New Criminal Legislation,</i> ” Central Islip, New York
1/15/20	Presenter, N.Y.S. Judicial Institute, “ <i>New Criminal Legislation,</i> ” Hofstra Law School, Hempstead, New York
6/24/19, 7/15/19 and 7/22/19	Presenter, N.Y.S. Judicial Institute Summer Conference, “ <i>Criminal Update,</i> ” Rye, New York
6/24/19, 7/15/19 and 7/22/19	Co-Presenter, N.Y.S. Judicial Institute Summer

- Conference, “*Fourth Amendment Implications of Electronic Evidence Applications*,” Rye, New York
- 4/13/19 Presenter, N.Y.S. Judicial Institute, Video-Broadcast & Recorded, “*Identification Issues*”
- 3/28/19 Presenter, N.Y.S. Judicial Institute, Regional Conference, “*Sentencing*,” Rochester, New York
- 3/14/19 Presenter, N.Y.S. Judicial Institute, Regional Conference, “*Sentencing*,” Touro Law Center, Central Islip, New York
- 7/18/18, 7/25/18 and 8/5/18 Panelist, N.Y.S. Judicial Institute Summer Judge’s Conferences: “So You Think You Know *Brady*?”
- 6/14/18 Presenter, N.Y.S. Judicial Institute, Video Broadcast and Recorded, “*Emerging Topics in Criminal Law and Procedure*”
- 3/29/18 Co-Presenter, N.Y.S. Judicial Institute, *10th Jud District Pre-Trial Motions and Trial Practice Issues*,” Touro Law Center, Central Islip, NY
- 2/28/18 Panelist; Suffolk County Academy of Law; “*Evidence Practicum*,” Hauppauge, NY
- 2/14/18 Presenter, N.Y.S. Judicial Institute, “*Electronic Evidence*,” 8th J.D. Judges and Court Attorneys, Buffalo, NY
- 2/11/18 Lecturer, “*Rosario and Brady: What Prosecutors and Defense Attorneys Need to Know*,” Touro Law Center, Central Islip, New York
- 11/30/17 Co-Presenter, N.Y.S. Judicial Institute, “*Emerging Topics in Criminal Law*,” 4th J.D. Judges and Court Attorneys, Saratoga, NY
- 11/20/17 Presenter, N.Y.S. Judicial Institute, “*Contempt*,” [10th J.D. Matrimonial Judges and Court Attorneys, Hofstra Law School, Hempstead, NY

10/26/17 Co-Presenter, N.Y.S. Judicial Institute; “*Criminal Law Update*,” NYC Court Attorneys Association, New York City

10/19/17 Panelist and Presenter; Suffolk Academy of Law. “*Expert Identification Eyewitness Evidence*” [Hauppauge, New York]

9/26/17 Co-Presenter, N.Y.S. Judicial Institute: “*Criminal Update*” [Portions Live Telecast and Portions Recorded for Re-Broadcast], White Plains, New York]

8/9/17 Presenter, Suffolk County Judges, “*Criminal Update*,” Patchogue, New York

6/21/17 and 7/26/17 Presenter, N.Y.S. Judicial Institute, “*Electronic Evidence in Criminal Cases*” Annual Statewide Judges, CJE Conferences, Rye New York

3/24/17 Speaker, Suffolk County Bar Association, Bridge the Gap For Newly Admitted Attorneys, “*Professionalism and Civility*,” Hauppauge, New York

3/19/17 Presenter, Touro Law Center, “*Perfect for Practice: Motions For Pre-Trial Hearings*,” Central Islip, New York

3/9/17 Presenter, N.Y.S. Judicial Institute, “*Sentencing*,” [J.I. Live Telecast]

1/24/17 Presenter, N.Y.S. Judicial Institute, “*Multiple Count/Multiple Defendant Indictments*,” [J.I. Live Telecast]

1/5/17 Presenter, N.Y.S. Judicial Institute, “*Pre-Trial Motions and Hearings for New Judges*,” White Plains, New York

12/7/16 Panelist, N.Y.S. Judicial Institute, Supervising Judge’s Conference, “*Linking Caseload Management and Judicial Leadership: The Art and Science*,” White Plains, New York

11/15/16 Presenter, N.Y.S. Judicial Institute, “*Brady Remedies*,” [J.I. Live Telecast]

11/1/16 Presenter, N.Y.S. Judicial Institute, “*Motions to Dismiss or Reduce Indictments*,” [J.I. Live Telecast]

10/21/16 Presenter and Panelist, “*Electronic Evidence Overview*,” Suffolk Academy of Law, Hauppauge, New York

9/20/16 Presenter, N.Y.S. Judicial Institute, “*Rosario*,” [J.I. Live Telecast]

9/12/16 Co-Presenter, N.Y.S. Association of Supreme Court Justices, “*Criminal Update*,” Bolton Landing, New York

6/30/16 Presenter, N.Y.S. Judicial Institute, “*Evidence Update & Electronic Evidence For New Judges*,” White Plains, New York

6/16/16 Presenter, N.Y.S. Judicial Institute, “*Criminal Update*,” 6th Judicial District Judges and Court Attorneys, Binghamton, New York

6/14/16 Presenter, N.Y.S. Judicial Institute, “*Electronic Evidence Overview*,” 7th Judicial District Judges and Court Attorneys, Rochester, New York

3/3/16 Presenter, N.Y.S. Judicial Institute, “*Electronic Evidence Overview*,” Court Attorney Referees, White Plains, New York

1/10/16 Presenter, Touro Law Center, “*Perfect for Practice: N.Y. Trial Criminal Procedure: Everything You Need to Know*,” Central Islip, New York

1/8/16 Presenter, N.Y.S. Judicial Institute, “*Pre-Trial Motions and Hearings For New Judges*,” White Plains, New York

11/19/15 Presenter, N.Y.S. Judicial Institute, “*Lesser Included Offenses*,” [Recorded 11/19/16; J.I.]

Telecast 12/10/15]

- 10/20/15 Presenter, N.Y.S. Judicial Institute, “*Evidence Update, Electronic Evidence & General Criminal Update*” N.Y.C. Court Attorneys, White Plains, New York
- 10/15/15 Panelist, N.Y.S. Judicial Institute, “*Evidence,*” Family Corut Attorneys, White Plains, New York
- 6/30/15 Presenter, N.Y.S. Judicial Institute, “*Evidence For New Judges,*” White Plains, New York
- 5/16/15 Presenter, N.Y.S. Judicial Institute, “*Mistrials,*” [J.I. Live Telecast]
- 3/30/15 Panelist, N.Y.S. Judicial Institute, “*Electronic Evidence,*” White Plains, New York
- 3/12/15 Presenter Suffolk County Judges, “*Electronic Evidence,*” Patchogue, New York
- 2/26/15 Presenter, Suffolk County Criminal Bar Association, “*Bail,*” East Islip, New York
- 1/11/15 Presenter, Touro Law Center, “*Perfect for Practice: Pre-Trial Hearings,*” Central Islip, New York
- 1/6/15 Panelist, Touro Law Center, “*Brady For 18b Attorneys,*” Central Islip, New York
- 8/8/14 Co-Presenter, N.Y.S. Judicial Institute, “*Criminal Jury Issues,*” White Plains, New York [J.I. Telecast]
- 2/27/14 Presenter, Suffolk Matrimonial Bar Association, “*Electronic Evidence,*” Hauppauge, New York
- 1/13/14 Presenter, Touro Law Center, “*Perfect for Practice: Criminal Trial Evidence for New Lawyers*” Central Islip, New York
- 1/8/14 Co-Presenter, N.Y.S. Judicial Institute, “*Criminal Trial Evidence for New Judges,*” White Plains, New York

10/3/13	Co-Presenter, Suffolk Academy of Law, “ <i>Evidentiary Objections: Trial Practicum</i> ,” Hauppauge, New York
8/13/13	Co-Presenter, Suffolk Academy of Law “Criminal Practice,” Riverhead, New York
5/22/13	Keynote Speaker: Touro Law Center, Moot Court/ Law Review Honors Banquet
1/13/13	Presenter, Touro Law Center, “CLE For Recent Graduates: Plea Bargaining 101,” Central Islip, New York
10/16/16	Panelist, Suffolk Academy of Law, “ <i>Plea Bargaining</i> ,” Hauppauge, New York
2/8/12	Co-Presenter “ <i>Criminal Update</i> ,” Suffolk Academy of Law, Southampton, New York
11/30/10	Presenter, “ <i>Evidentiary Foundations</i> ,” Suffolk Academy of Law,” Hauppauge, New York
2/10/10	Presenter, Suffolk Matrimonial Bar Association, “ <i>Matrimonial Practice: View Form the Bench</i> ,” Commack, New York
11/19/08	Presenter, Suffolk County Matrimonial Bar Association, “ <i>Ten Things You Need to Know For Matrimonial Trials</i> ,” Commack, New York
3/31/18	Presenter/Panelist, Suffolk Academy of Law, “ <i>Discovery Sanctions in Matrimonial Practice</i> ,” Hauppauge, New York
10/21/07	Presenter/Panelist, N.B.I., “ <i>What Matrimonial Judges Want You to Know</i> ,” Plainview New York
9/10/07	Presenter/Panelist, Nassau Bar Association, “ <i>Objection!</i> ” Mineola, New York
3/6/17	Presenter/Panelist, Suffolk Academy of Law, “ <i>Objection!</i> ”, Hauppauge, New York

9/28/06	Presenter, Suffolk County Bar Association, “ <i>Emergency Management and the Law: Government Liability for Catastrophic Events</i> ,” Islandia, New York
3/13/06	Presenter, National College of District Attorneys, “ <i>Supreme Court Update</i> ,” Washington, D.C.
3/19/05	Presenter/Panelist, “ <i>Suburban Studies Conference: Homeland Security</i> ,” Hempstead, New York
10/24/04	Public Lecture: Touro Law Center Distinguished Public Interest Attorney In Residence, “ <i>Public Interest Law: Challenges in Prosecution and Public Interest Law</i> ,” Huntington, New York
9/11/04	Public Lecture, Temple Beth Chai, “ <i>September 11th and the Holy Days</i> ,” Hauppauge, New York
11/17/04	Co-Presenter, Touro Law Center, “ <i>Free Will and Intent in a Pressing Environment - Moral and Legal Responsibility</i> ,” Huntington, New York
10/23/01	Lecturer, Tennessee District Attorneys General Association, “ <i>Prosecutorial Ethics</i> ,” Nashville, Tennessee
6/5/00	Lecturer, Cook County Illinois State’s Attorneys Office, “ <i>Capital Prosecution Ethics</i> ,” Chicago, Illinois
5/1/97	Panelist, Suffolk Academy of Law, “ <i>Law Day: Death Penalty Conference</i> ,” Hauppauge, New York
3/4/97	Presenter, Suffolk Academy of Law “ <i>Criminal Law Series</i> ,” Hauppauge, New York
2/28/96; 10/1/96; 2/28/97; 3/11/98; 1/13/98; 1/13/99; 2/5/00; 7/28/04	Presenter, New York Prosecutors Training Institute, Capital Crimes Conferences
8/7/00; 8/17/00; 8/7/01; 8/8/01; 8/6/02	Presenter, New York Prosecutors Training Institute, Summer College, Syracuse College of Law

3/27/95	Presenter, Touro Law Center, “ <i>Adversarial vs. Inquisitorial Systems: Reflections on the O.J. Simpson Trial</i> ,” Huntington, New York
10/3/94; 10/10/95	Presenter, Suffolk Academy of Law, “ <i>Six Summer Decisions</i> ” Programs, Hauppauge, New York
3/5/93	Presenter, Touro Law Center, Symposium, “ <i>Conflicts of Interest in Civil Rights Actions Against Police Officers: Post-Rodney King Civil Rights Actions</i> ,” Huntington, New York
12/3/92	Presenter, Suffolk Academy of Law, Appellate Practice Program, Hauppauge, New York
12/2/89	Presenter, Suffolk Academy of Law, Appellate Practice Seminar
2/28/89	Presenter, Suffolk County Bar Association, Appellate Practice Program
2/6/96	Presenter, Suffolk County Medical Examiner’s Office
1982-1983	Lecturer, Federal Law Enforcement Training Center, Brunswick, Georgia
1988-1990	Treasurer, New York State District Attorneys Association
1986-1988, 1994-2001	Legislative Secretary, New York State District Attorneys Association
1985-2001	Member, Legislative Committee, New York District Attorneys Association
1988-1991	Lecturer, N.Y.S. Division of Criminal Justice Services
1980-2001	Lecturer, Suffolk County Police Department Academy

Civic Activities

1995-2006	Member at Large, Vice President, Suffolk Council of Jewish Organizations (Formerly Jewish Communal Planning Council)
1991-1993	Member, Joint Village Coastal Commission-Villages of Head of the Harbor and Nissequogue
1986-1990	Trustee and Deputy Mayor-Village of Head of the Harbor
1979-1988	Member and Deputy Chairman-Village of Head of the Harbor Planning Board
1985-2012	President, Pond Woods Homeowners Association

Bar/Professional Memberships

Member, OCA Committee on New Criminal Legislation Implementation (2019-2020); Member, N.Y.S. Continuing Legal Education Committee (2019-Present); Member, Chief Judge's Judicial Advisory Committee on Evidence (2016-Present); Member, Suffolk County Criminal Justice Coordinating Committee (2015-2020); Member, Suffolk County Inn of Court (2008-2016); U.S. Coast Guard, New York Port - Area Maritime Security Executive Committee (2004-2006); Association of Government Attorneys in Capital Litigation (Past-President, Regional Vice President, Executive Board, Member at Large) (1995-2002); New York State Bar Association (1980-Present) Suffolk County Bar Association-Member, (1980-Present), Co-Chairman, County Court Committee (2015-Present), Member, Judicial Screening Task Force (1993-1994), Member Judiciary Committee (1988-1989), Member Jury Project Committee (1994), Member, Appellate Practice Committee (1985-1994), Co-Chairman, Appellate Practice Committee (1998-1999); Suffolk County Criminal

Bar Association, Member, Board of Directors (1998-2003).

Awards

2018, Judge of the Year, Suffolk County Criminal Bar Association; 2014, 2015, and 2019, Touro Law Center's Best Adjunct Professor, Student Bar Association; 2013, Received Touro's Annual Award "In Recognition of Devoted Service to the Ideals and Purpose of Legal Education," (In the past, reserved for full-time faculty); 2013, Received the Annual Hon. George C. Pratt Award in Appellate Advocacy from the Moot Court Honors Board in recognition of his work with the law school's competitive moot court teams; 2009, Received Award as School's Adjunct Professor of the Year; 2007, Suffolk County Academy of Law - Award of Recognition; 2004, Touro Law Center, Distinguished Public Interest Attorney in Residence; 2004, Suffolk Counsel of Jewish Organizations - Annual Honoree; 2001, Received Frank S. Hogan Award from New York State District Attorney's Association (Only non-elected/acting DA recipient); 1992, Award, Parents of Murdered Children; Award, New York State District Attorney's Association; Award, 2001, Suffolk County District Attorney's Office.

Security Clearances

Top Secret and Secret (U.S. Department of Homeland Security & Department of Energy) 2002-2006

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