



The State Energy &
Environmental Impact Center
NYU School of Law

Criminal Enforcement of Environmental Violations Training Series

Session 3: Workplace Safety & Abuse Prosecutions

September 12, 2022, 1:00 pm – 2:30 pm EST

Speaker Bios

Attorney General Peter Neronha

Rhode Island Attorney General

On November 6, 2018, Peter F. Neronha was elected as Rhode Island's 74th Attorney General. He was sworn in on January 1, 2019. As the top legal official in Rhode Island, Attorney General Neronha leads an office that prosecutes criminal cases; represents state agencies, departments and commissions in litigation; initiates legal action when necessary to protect the interests of Rhode Islanders; and oversees the Bureau of Criminal Identification and Investigation. At the appointment of President Barack Obama, Mr. Neronha served as the United States Attorney for the District of Rhode Island from 2009 to 2017. In this role, he supervised the prosecution of federal crimes and the litigation of civil matters in which the federal government had an interest, either as a plaintiff or defendant. As United States Attorney, he was appointed by United States Attorney General Eric Holder and later Attorney General Loretta Lynch to terms on the Attorney General's Advisory Committee.

Mr. Neronha's career in public service began in 1996, when he was appointed as a Rhode Island Special Assistant Attorney General, and later was appointed as an Assistant Attorney General. Serving in the Rhode Island Attorney General's Office until 2002, he prosecuted a variety of jury and non-jury criminal matters in the state courts. Mr. Neronha went on to join the United States Attorney's Office as an Assistant United States Attorney in 2002. During his time in that office, Mr. Neronha served in several roles, including as Chief of the Organized Crime Strike Force.

A fourth generation native of Jamestown, Rhode Island, Neronha graduated in 1985 summa cum laude from Boston College. In 1989, he graduated magna cum laude from Boston College Law School, where he was a member of the Boston College Law Review. From 1989 to 1996, he worked for the Boston, Massachusetts law firm Goodwin, Procter L.L.P.

Nancy Walker

Chief Deputy Attorney General, Pennsylvania Office of the Attorney General

When Attorney General Josh Shapiro took office in 2017, he appointed Nancy to serve as the first Chief Deputy Attorney General of the newly created Fair Labor Section. Since its inception, the Fair Labor Section has grown to include a full staff of Deputy Attorneys General and has become recognized as a national leader on workers' rights issues. Over the last five years, Nancy has led the Section in advocating on behalf of workers and law-abiding employers across Pennsylvania to ensure they are being treated fairly and lawfully. The Section's work includes responding to complaints that allege a multitude of civil and criminal labor law violations; working with employers to ensure safe workplaces; regularly engaging with stakeholders; and otherwise responding to a variety of matters involving workers across the state. The Section leads multistate Attorneys General investigations, has negotiated agreements with national gig companies for worker protections and benefits during the COVID-19 pandemic, and has served as lead counsel in matters of national importance, including lawsuits bringing Administrative Procedure Act challenges to amendments to the tip and joint employer rules. The Office of Attorney General also has successfully filed criminal charges against employers alleging theft of wages and benefits. These cases have included collaborative prosecutions of violations of state construction misclassification laws with a County District Attorney Office and theft of wages and benefits from workers on state and federally funded projects. In 2021, the Office of Attorney General obtained a plea deal in a \$21 million dollar criminal case involving theft of fringe benefits money from workers, the largest case of its kind in the country.

Prior to her appointment as Chief Deputy, Nancy focused her private practice on advocating for working people and the unions that represented them for the last 25 years throughout the Northeast and mid-Atlantic regions, in federal and state courts, before administrative agencies, in arbitration and mediation proceedings, and during contract negotiations. She is licensed to practice before state and federal courts in the Commonwealth of Pennsylvania and State of New York, is a Fellow of The College of Labor and Employment Lawyers, has extensively written and spoken on labor and employment issues for national labor, employment and bar organizations, was faculty for the American Arbitration Association for many years, was recognized as a Distinguished Advocate by the Support Center for Child Advocates, and is an editor for the seminal labor treatise, *The Developing Labor Law*. Nancy is particularly proud of her representation of local unions of the American Postal Workers Union during the 2001 anthrax crisis, when she sought emergency injunctive relief and was able to ensure that certain postal facilities in New Jersey were safe for employees.

Samantha Magnani

*Deputy Assistant State's Attorney- Connecticut Division of Criminal Justice- Hartford, CT
Former Unit Chief of the Construction Crimes and Labor Fraud Unit/Assistant
District Attorney at the Kings County District Attorney's Office*

Samantha Magnani is a former Assistant District Attorney at the Kings County District

Attorney's Office. She joined the Kings County District Attorney's Office in 1997 and just recently resigned to take another position in Connecticut. Ms. Magnani served as an Assistant DA and a Senior Assistant DA in Trial Bureau V and a First Deputy Bureau Chief in Trial Bureau V, where her primary responsibilities consisted of supervising approximately 30 junior and senior assistant trial attorneys, overseeing on-going investigations and conducting trials on violent felonies. After becoming a felony trial attorney in 1999, Ms. Magnani conducted in excess of 50 trials to verdict as either lead attorney or co-counsel and presented over 300 cases to grand juries.

Several of the more notable cases in which she was involved as lead attorney in Trial Bureau V have been the successful prosecution of the following cases: in 2016 of a man who hired a known drug dealer to set a fire in an occupied commercial and residential building at night because of a dispute with some of the occupants, in 2009 of a bodega owner in Brownsville responsible for the felony assault with a hammer upon a then 14 year old young man who went to purchase some food after a basketball game, and the successful prosecution in 2007 of three teenagers who robbed and beat to death an elderly 71 year old man in the Howard Houses who was waiting for the elevator in the lobby of 260 Stone Avenue.

During her tenure at the Kings County District Attorney's Office, Ms. Magnani also served as a liaison between the Kings County District Attorney's Office and the Juvenile Robbery Intervention Program (part of the NYPD) which was designed to rehabilitate and deter young defendants from further interaction with the criminal justice system. Ms. Magnani further served as a panelist once a month on the Cease Fire forum which was designed to deter parolees from further violent criminal activity. She also regularly attended the PSA 2 and 73 precinct community council meetings and assisted both members of the community and defendants (who are being offered court mandated programs) with direction and information to facilitate entry into community based programs and programs offered by the District Attorney's Office such as Center for Employment Opportunity, Cases and Fortune Society. Ms. Magnani also served as the DNA liaison between the prosecutors in her Bureau and the DNA Unit.

In 2016, Ms. Magnani transferred to the Investigations Division at the District Attorney's request to assist in creating a unit to focus on construction related homicide and labor fraud cases. Ms. Magnani served as the Unit Chief of the Construction Crimes and Labor Fraud Unit since its inception in 2019. Between 2016 and 2022, Ms. Magnani served as lead attorney on several major construction related investigations which were successfully indicted and prosecuted in the Kings County Supreme Court. The Unit currently handles all construction related fatalities and severe injury cases as well as all labor related fraud investigations.

Ms. Magnani is a graduate of Long Island University, CW Post Campus which she attended on a full academic scholarship and the University Of Richmond Law School in Richmond, Virginia. Ms. Magnani served as associate editor on the law review while at the University of Richmond. Prior to working at the Kings County District Attorney's Office, Ms. Magnani served as a law clerk for United States Magistrate Judge David Lowe in the Eastern District of Virginia. Ms. Magnani has also conducted training

programs within her office on jury selection, opening statements and the presentation of evidence at trial.

Ms. Magnani joined the Connecticut State's Attorney's Office in January of 2022 where she works as a prosecutor in the Hartford office prosecuting violent felony cases.

Deborah Harris

Chief, Environmental Crimes Section, USDOJ, Environment and Natural Resources Division

Deborah Harris is the Chief of the U.S. Department of Justice's Environmental Crimes Section (ECS). She supervises an office of 36 attorneys responsible for the prosecution nationwide of pollution, wildlife, animal welfare, and worker safety crimes. Ms. Harris works extensively with a wide range of federal investigative agencies, including EPA, Coast Guard, OSHA, USDA, NOAA, and the U.S. Fish and Wildlife Service. She chairs DOJ's Environmental Crimes Policy Committee, and serves on the Advisory Board of INTERPOL's Environmental Compliance and Enforcement Committee.

Prior to joining ECS, Ms. Harris was a criminal defense attorney with the Public Defender Service for the District of Columbia. She received a B.A. in English and Political Science from the University of North Carolina at Chapel Hill and a J.D. from the University of North Carolina School of Law. Following law school, she was a Prettyman Fellow at the Georgetown University Law Center Criminal Justice Clinic where she received her LL.M. in Trial Advocacy.

Terri Gerstein (Moderator)

Director, State and Local Enforcement Project, Labor and Worklife Program, Harvard Law School

Terri Gerstein is the Director of the [State and Local Enforcement Project](#) at the Harvard Law School Labor and Worklife Program and a Senior Fellow at the Economic Policy Institute. She works with state and local labor enforcement agencies nationwide to help them build their capacity to protect workers' rights. In 2017, she was an Open Society Foundations Leadership in Government Fellow. Previously, Terri enforced labor laws for over 17 years in New York, including as Labor Bureau Chief in the New York State Attorney General's Office and as Deputy Commissioner in the New York State Department of Labor. Before her government service, Terri was a nonprofit lawyer in Miami, Florida, where she represented immigrant workers and co-hosted a Spanish language radio show on workers' rights. She was a law clerk for Judge Mary Johnson Lowe of the U.S. District Court for the Southern District of New York.

Terri writes frequently on labor issues. Her work has appeared in the New York Times, the Washington Post, NBC News Think, The American Prospect, Politico, Slate, the Nation, and more; a complete listing is available at www.terrigerstein.com. She is a member of the American Law Institute, and is a graduate of Harvard College and Harvard Law School. Terri lives in Brooklyn with her husband, teenage sons, and a slightly grumpy middle-aged rescue Shi-Tzu dog named Carson.

Bethany Davis Noll

Executive Director, State Energy & Environmental Impact Center

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Bethany Davis Noll is Executive Director of the State Energy & Environmental Impact Center at NYU School of Law. She is an expert in administrative and environmental law and an experienced litigator. She is also an adjunct professor at NYU Law and cochair of the Environmental Law Committee of the New York City Bar Association. Prior to joining the Center, she was Litigation Director at the Institute for Policy Integrity, where she wrote articles, led amicus briefing in cases challenging the Trump administration's rollbacks of environmental and other rules, and ran Policy Integrity's "Roundup: Trump-Era Agency Policy in the Courts." She previously served as Assistant Solicitor General in the New York State Attorney General's Office, where she filed briefs in major environmental cases in the Supreme Court and earned the Louis J. Lefkowitz Memorial Award for her work. Bethany was also an associate at Debevoise & Plimpton LLP and served as a clerk for the Honorable Chester J. Straub in the Second Circuit Court of Appeals and for the Honorable Shira A. Scheindlin in the District Court for the Southern District of New York. Bethany received a J.D. with distinction from Stanford Law School and a B.A., magna cum laude, from Barnard College.