

**John A. Cocklin**

**Dram Shop, Alcoholic Beverages Regulation and Police Practices Expert**

## **PROFESSIONAL EXPERIENCE**

**2020 – Present      Exigent Group Limited**

- **Dram Shop Litigation and the Regulation of Alcoholic Beverage Products:** Provide technical investigations, analysis, reports and testimony toward the resolution of civil, criminal, commercial, personal injury and Dram Shop litigation requiring investigation into management's alcoholic beverage sale and service policies and procedures, as well as premise and patron security. Conduct analysis of the requirements imposed by the State of jurisdiction for the sale, service and distribution of alcoholic beverages by that State's licensed beverage industry versus the compliance to those standards by the licensed alcoholic beverage entity.
  
  - Service of alcohol to visibly intoxicated or obviously intoxicated patrons
  - Service of alcohol to a person under the legal age to purchase and consume alcoholic beverages
  - Standard of care for the sale, service and delivery of alcoholic beverages to patrons
  - Proper response by a retail establishment to intoxicated or underaged people
  - Bar, Tavern and Nightclub patron and on or about the premise security
  - Site inspections – overt and patron observation of actual staff practices
  - Deposition preparation and analysis of statements
  - Analysis of business practices relating to compliance with the State's regulatory requirements.
  - Alcohol product substitution investigations
  - Owner, Management and Staff practices and actions
  - Signs of intoxication
  - False identification and reasonable steps taken by licensed premises to identify underage patrons
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- **Law Enforcement Practice and Procedures**  
Provide technical investigations, analysis, reports, and testimony toward the resolution of civil, criminal, commercial and person injury litigation involving law enforcement practices and procedures. Areas of expertise address the actions of law enforcement officers in the performance of their duties and their responsibilities including:
  - Use of force
  - Professional standards
  - Policies and procedures
  - Internal investigations
  - Code of ethics
  - Criminal investigations

- Securing crime scenes
- Evidence procedures
- Police training
- Instructor conduct
- Proper training methods
- Firearms

**2016 – 2020 Robson Forensic, Inc.**

Police Practices, Dram Shop and Alcoholic Beverage Regulation Compliance. Provide technical investigations, analysis, report and testimony toward the resolution of civil, criminal, commercial and personal injury litigation.

**2014 – 2016 Private Expert Witness Consulting**

Dram Shop Litigation and Alcoholic Beverage Industry Best Practices. Provide technical investigations, analysis, reports and testimony toward the resolution of civil, criminal, commercial and personal injury litigation.

**2002 – 2014 New Jersey Division of Alcoholic Beverage Control**

• **Chief Investigator**

Supervised investigative activities and the regulatory oversight of NJ's alcoholic beverage industry that involved more than 10,000 businesses. Supervised, reviewed and recommended administrative charges for violations of the New Jersey Alcoholic Beverage Control Act. Investigated or supervised over 17,000 investigations that involved alcoholic beverage establishments' staff, including the ownership and management, bar, service and wait staff, security personnel, entertainers and promoters involving, among others, violent and property crime, narcotics activity, gambling, sales of alcohol to persons under the legal age, service of alcohol to visibly intoxicated patrons and undisclosed ownership interests. Member of the Director's Executive Staff and was involved in the administrative rule making process applicable to the State's alcoholic beverage industry. Authored or co-authored publications and material used by the industry, including the State of New Jersey Alcoholic Beverage Control Handbook for Retail Licensees. Established standard operating procedures, evidence, and case tracking systems for the Division's investigations.

Dram Shop - Created, designed, and implemented the New Jersey Division of Alcoholic Beverage Control's Last Drink Initiative, which collected information from more than 530 municipal, county and state law enforcement agencies in regard to the location of a person's last drink before they were arrested for driving while impaired. Data was used to identify patterns of customer over-service at retail alcohol establishments to identify establishments for follow-up undercover or overt investigations. Received Exceptional Service Award from the New Jersey Attorney General as a result.

Alcoholic Beverage Substitution - Designed and implemented the first statewide investigation of alcoholic beverage substitution by bars and restaurants in the United States. In the New Jersey Division of Alcoholic Beverage Control's Operation Swill, detectives and investigators covertly collected more than three hundred samples of premium alcoholic beverage products from on-premise consumption outlets. Through the cooperation and coordination of the International Federation of Spirits Producers, the samples were analyzed by the manufacturers to determine the product's authenticity and subsequently the violators were charged.

Alcoholic Beverage Regulations - Supervised all investigative activities for the regulatory oversight of NJ's alcoholic beverage industry involving more than 10,000 businesses. Supervised, reviewed, and recommended administrative charges for violations of the New Jersey Alcoholic Beverage Control Act. Member of the Director of Alcoholic Beverage Control's executive staff and participated in the review, modification, and enactment of administrative regulations concerning the alcoholic beverage industry. Reviewed and updated materials provided to the industry, including the State of New Jersey Alcoholic Beverage Control Handbook for Retail Licensees.

Co-created various law enforcement training courses for more than 4,000 municipal police officers assigned to enforce Alcoholic Beverage Control Act violations. Conducted required background investigations that preceded the issuance of alcoholic beverage licenses. Co-created a block of instruction on alcoholic beverage control issues for police executives and presented it at New Police Chief Orientation programs conducted by the New Jersey State Association of Chiefs of Police.

### **1999 – 2002 New Jersey Division of Criminal Justice**

- **Chief of Detectives 1999-2002**

Supervised six Deputy Chief of Detectives who had overall supervisory responsibility for 400 Detectives and Investigators assigned to various criminal investigation units in the Division of Criminal Justice, the Office of the Insurance Fraud Prosecutor, and the Office of the State Medical Examiner. Reviewed on-going investigations and prosecutions. Established standard operating procedures, recruitment, hiring, training procedures, and professional standards for the investigation staff.

Use of Force by Law Enforcement - Commanding member of a team consisting of Division of Criminal Justice, State Police Detectives, and Deputy Attorneys General that established the first Statewide Attorney General's [Police] Shooting Response Team. Established the working protocols for the investigation of police involved shootings for members of the State Police, Division of Criminal Justice, and County Prosecutor's Offices.

- **Deputy Chief of Detectives 1995-1999**

Supervised investigative personnel assigned to the Division's Internal Affairs Unit, Statewide Shooting Response Team, Prosecutors and Police Bureau, Division of Criminal Justice Academy, Records and Identification Section, and Office of the Attorney General Legal Affairs. Part of a group of prosecutors and investigators that designed and implemented the Attorney General's Shooting Response Team. Created the first comprehensive policy and procedure for police involved shootings or other use of deadly force.

Professional Standards Investigations - Commanded the Division of Criminal Justice's Internal Affairs unit and the Prosecutor's Supervisory Bureau which involved the supervision and review of all criminal conduct, non-criminal professional conduct, use of force, and code of ethics violations involving the 3,800 investigative and prosecutorial personnel of the Division of Criminal Justice and New Jersey's county prosecutor's offices.

Code of Ethics Violations - Member of a team of Deputy Attorneys General, Assistant County Prosecutors and Detectives that created a uniform Code of Ethics for County Prosecutors and the Division of Criminal Justice. Taught Code of Ethics for the basic training course for Division of Criminal Justice and County Prosecutor's detectives from its inception through 2014. Co-authored the first set of comprehensive Division of Criminal Justice Standard Operating Procedures for the Division's 400 investigative personnel.

Police Training, Instructor Conduct, and Appropriate Training Methods – New Jersey Police Training Commission certified instructor for twenty-five years. Provided instruction in more than 50 basic police training courses that included: the New Jersey criminal justice system; law enforcement ethics; history of New Jersey law enforcement; alcoholic beverage laws; asset forfeiture law and procedure; and firearms training. Additional certifications as a Firearms Instructor, Rangemaster, and Sub-gun Instructor.

Supervised all investigations of alleged instructor misconduct, inappropriate training methods, and non-conforming or non-approved training conducted at any New Jersey approved Law Enforcement Training Academy.

Original faculty member of "Top Gun" and "Drug Unit Supervisor Training - DUST," statewide narcotics investigations training courses.

- **Lieutenant of Detectives 1987-1995**

Supervised Detectives and Criminal Information Analysts assigned to the Division's Operations Bureau, Civil Remedies and Forfeiture Bureau, and the Statewide Narcotics Task Force.

Assisted the Israeli National Police in the development of its national asset forfeiture unit during a three-year law enforcement exchange program between the State of New Jersey and the Israeli National Police.

Assisted in the development of a proper forfeiture program within the Department of Law and Public Safety, and the implementation of the program in the State's County Prosecutor's Offices. Trained the executive staff of the State's 21 county prosecutor's offices on compliance with the Attorney General's forfeiture guidelines.

- **Detective 1980 – 1987**

Conducted criminal investigations in the Organized Crime and Racketeering Bureau from 1985 to 1987; the Major Fraud Bureau from 1982 to 1985; the Program Integrity Section from 1981 to 1982; and the Medicaid Fraud Section from 1980 to 1981.

**1979 - 1980                      United States Army Audit Agency (Northeast District)**

- **Staff Auditor**

Conducted varying governmental audits for the United States Army that included the identification and elimination of fraud, waste, and abuse of government funds or property. Audits included both financial and operational reviews of the United States Army operations. Member of the audit team that reviewed the conversion of the National Guard facility at Camp Drum, New York, into a full-time active military facility housing the Army's 10th Mountain Division. Received a commendation from the United States Army Criminal Investigation Command for uncovering a fraud scheme involving both civilian government employees and government contractors, at Fort Hamilton Officers Club, Brooklyn, New York.

**1977 -1979      Shiremanstown, Pennsylvania Police Department**

- **Uniformed Police Officer**

Provided uniformed police patrol services to a small suburban community. Responsibilities included responding to calls involving criminal and municipal offenses, medical and fire emergencies, motor vehicle accidents, traffic direction and enforcement. Duties included the arrest and transportation of offenders, preliminary investigation of criminal activity and coordination with the District Attorney's Office, traffic accident investigation, basic medical and fire suppression, reports, and testimony in district and county court.

## **EDUCATION**

1984    M.B.A., Rider College (University), Lawrenceville, NJ

1978    B.S., Dual Major: Accounting and Criminal Science, York College of Pennsylvania

## **PROFESSIONAL CREDENTIALS**

- Certified Club Protection Specialist Instructor Trainer, National Nightclub Security Council
- Firearms Rangemaster, New Jersey Police Training Commission
- New Jersey Certified Public Manager, Rutgers, The State University of New Jersey
- Subgun Instructor, New Jersey Police Training Commission

- Methods of Instruction, New Jersey Police Training Commission Certified instructor
- Firearms Instructor, New Jersey Police Training Commission
- Pennsylvania Basic Police Officer Training Course, Pennsylvania Municipal Police Officers Training Commission, Harrisburg, Pennsylvania
- Range Safety Officer – National Rifle Association
- Certified Training for Intervention Procedures (TIPS) Trainer

## **CONTINUING EDUCATION**

- Online State of Missouri Alcohol Responsibility Training (SMART) Server Training, Missouri Division of Alcohol and Tobacco Control, October 2019
- New Hampshire Liquor Commission Total Education in Alcohol Management (TEAM), March 2019
- Online STAR (Server Training in Alcohol Regulations) Program, Kentucky Department of Alcoholic Beverage Control, June 2018
- TIPS Instructor Certification Training, TIPS/Health Communications, Inc., April 2018
- Certified Club Protection Specialist Instructor Trainer, National Nightclub Security Council, December 2017
- Indiana Alcohol and Tobacco Commission Indiana Server Training, March 2017
- The Basics of Pistol Shooting-Phase 1, National Rifle Association of America, April 2017
- NRA Range Safety Officer Course, National Rifle Association of America, January 2017
- Indiana Server Training Program, Alcohol and Tobacco Commission, November 2016
- TIPS on Premise 3/0, Health Communications, Inc., October 2016
- Techniques of Alcohol Management (TAM), National Hospitality Institute through the NJ Licensed Beverage Association, November 2014
- Internal Affairs, NJ Division of Criminal Justice, May 1996 Evaluating and Reporting on Internal Control Systems, United State Department of Agriculture, November 1989
- Narcotics Commanders Course, United States Department of Justice, Drug Enforcement Administration, October 1988
- Asset Forfeiture Training Program, US Bureau of Justice Assistance and the Police Executive Research Forum; June 1988
- Automated Crime Analysis, University of Delaware, December 1986
- Intelligence Investigative Techniques, International Association of Law Enforcement Intelligence Analysts, October 1986
- Basic Analytical Training, Middle Atlantic–Great Lakes Organized Crime Law Enforcement Network, June 1986
- API Petroleum Measurement, University of Texas at Austin, May 1985
- Specialized School on Investigative Techniques of Computer Related Crimes, FBI Academy, Quantico, VA, December 1983
- Detection, Investigation and Prosecution of Financial Crimes, Division of Criminal Justice and the University of Delaware, March 1983

- New Jersey Emergency Medical Technician, New Jersey Department of Health, January 1981

#### **PROFESSIONAL MEMBERSHIPS**

- International Association of Chiefs of Police, Lifetime member. Member of the IACP's Police Investigative Operations Committee, (1999 to 2002)
- New Jersey State Association of Chiefs of Police, Lifetime member, retired

#### **INVITED SPEAKER**

- Center for Alcohol Policy 12th Annual National Alcohol Law and Policy Conference, Panelist: Problem Bars: Challenges and Solutions, Boston, MA, August 2019

#### **PUBLICATIONS**

- Cocklin, J. (2020). "Issues That Can Cause Problem Bars – A view from the eye of a hurricane".

Expert Not Retained