

RENÉE MCDONALD HUTCHINS

CO-DIRECTOR, CLINICAL LAW PROGRAM • JACOB A. FRANCE PROFESSOR OF PUBLIC INTEREST LAW

University of Maryland Francis King Carey School of Law

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EXPERIENCE

UNIVERSITY OF MARYLAND CAREY SCHOOL OF LAW, Baltimore, MD

Jacob A. France Professor of Public Interest Law 2016 - present

Co-Director of the Clinical Law Program 2014 - present

Professor of Law 2014 - present

Associate Professor (with tenure) 2010 - 2014

Assistant Professor 2004 - 2010

- *Courses:* Appellate and Post-Conviction Advocacy Clinic; Criminal Procedure; Fourth Circuit Decisions; Criminal Appeals Seminar; and Comparative Criminal Processes at the University of Aberdeen in Aberdeen, Scotland (Summer 2011)
- *Practice:* Primarily criminal appellate and post-conviction work in Maryland courts (state)

NEW YORK UNIVERSITY SCHOOL OF LAW, New York, NY

2002 - 2004

Acting Assistant Professor

- *Course:* Lawyering Program (required first-year legal writing and skills class)

SILLS CUMMIS EPSTEIN & GROSS, Newark, NJ

2000 - 2002

Senior Associate

- *Practice:* Primarily criminal tax defense and general civil litigation

UNITED STATES DEPARTMENT OF JUSTICE, Washington, DC

1997 - 2000

TAX DIVISION, NORTHERN CRIMINAL ENFORCEMENT SECTION

Trial Attorney

- *Practice:* Criminal tax prosecutions

Special Assistant United States Attorney

- *Practice:* detailed for eight months to the U.S. Attorney's Office in Washington, DC, to prosecute misdemeanor cases in Superior Court

SOUTHERN CENTER FOR HUMAN RIGHTS, Atlanta, GA

1996 - 1997

NACDL Death Penalty Counsel

- *Practice:* Primarily criminal appellate and post-conviction work in Georgia courts (state) and federal habeas litigation

OFFICE OF THE APPELLATE DEFENDER, New York, NY

1994 - 1996

Staff Attorney

- *Practice:* Criminal appellate work in New York courts (state)

THE HONORABLE NATHANIEL R. JONES, Cincinnati, OH

1993 - 1994

UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT

Law Clerk

EDUCATION

YALE LAW SCHOOL, J.D. <ul style="list-style-type: none">• Yale Moot Court Board of Directors (Chair, 1992-1993)	1990 - 1993
SPELMAN COLLEGE, B.A., <i>cum laude</i> in Mathematics <ul style="list-style-type: none">• Beta Kappa Chi National Scientific Honor Society• Pi Mu Epsilon National Mathematics Honor Society	1986 - 1990

APPOINTMENTS AND SELECTIVE AFFILIATIONS

AMERICAN LAW INSTITUTE	2017 - present
BOARD OF TRUSTEES FOR THE MARYLAND OFFICE OF THE PUBLIC DEFENDER	2017 - present
U.S. SUPREME COURT NOMINATIONS APPOINTED READING GROUP (for the ABA Standing Committee on the Federal Judiciary)	2017 - present
APPELLATE COURTS JUDICIAL NOMINATING COMMISSION	2007 – present
CHARACTER COMMITTEE FOR THE COURT OF APPEALS OF MARYLAND (Sixth Appellate Circuit)	2014 - 2017
BOARD OF DIRECTORS FOR THE JUDICIAL INSTITUTE OF MARYLAND	2012 - 2016
ASSIGNED COUNSEL PLAN FOR THE STATE OF NEW YORK (Appellate Division First Department)	2002-2004

PUBLICATIONS

Racial Profiling—The Law, the Policy, and the Practice in A. Davis, Ed., *POLICING THE BLACK MAN: ARREST, PROSECUTION AND IMPRISONMENT* (Pantheon) (2017)

DEVELOPING PROFESSIONAL SKILLS: CRIMINAL PROCEDURE (West Academic) (2017)

LEARNING CRIMINAL PROCEDURE (West Academic) (2015) (with Professor Ric Simmons)

When Enough Is Enough: Location Tracking, Machine Learning and the Mosaic Theory, 8 N.Y.U. J. OF LAW & LIB. 555 (2014) (with Professor Steve Bellovin, Professor Tony Jebara, and Sebastian Zimmeck)

You Can't Handle the Truth! Trial Juries and Credibility, 44 SETON HALL L. REV. 505 (2014)

Stop Terry: Reasonable Suspicion, Race and a Proposal to Limit Terry Stops, 16 N.Y.U. J. OF LEGIS. & PUB. POL'Y 883 (2014)

Anatomy of a Search: Intrusiveness and the Fourth Amendment, 38 SEARCH AND SEIZURE LAW REPORT 21 (2011) (revised version of article originally published in 44 U. OF RICH. L. REV. 1185 (2010))

Stop and Frisk in *ENCYCLOPEDIA OF THE SUPREME COURT OF THE UNITED STATES* (MacMillan) (2008)

Tied Up in Knotts? GPS and the Fourth Amendment, 55 U.C.L.A. L. REV. 409 (2007)

FORTHCOMING PUBLICATIONS AND WORKS-IN-PROGRESS

A Rich Man's Right? Race, Class and the Fourth Amendment (work-in-progress)

Progressive Punishment: Poverty and the Criminal Sanction (work-in-progress)

PLEADINGS AND ORAL ARGUMENTS

Ward v. State, Petition for Writ of Actual Innocence (Cir. Ct. Balt. City 2012), and Petition for Writ of Actual Innocence and Oral Argument (Cir. Ct. Balt. City 2017)

State v. Spencer, Petition for Writ of Certiorari, Petitioner's Briefs, and Oral Argument, 450 Md. 530 (2016) (<http://courts.state.md.us/coappeals/webcasts/webcastarchive2016term.html#september2016>)

In re Kaylah S., Opposition to State's Motion to Dismiss and Appellant's Reply Brief (Md. App. 2015)

Carter v. State, Appellant's Briefs and Oral Argument (Md. App. 2013)

Lance v. State, Leave Application (Md. App. 2012)

Carter v. State, Appellant's Briefs (Md. App. 2011, 2013)

Douglas v. State/Curtis v. State, Petitioners' Briefs and Oral Argument, 423 Md. 156 (2011) (<http://www.courts.state.md.us/coappeals/webcastarchive.html>)

Mansfield v. State, Petitioner's Briefs (with co-counsel) and Oral Argument, 422 Md. 269 (2011) (<http://www.courts.state.md.us/coappeals/webcastarchive.html>)

Ramsey v. State, Petitioner's Briefs (with co-counsel) and Oral Argument, 409 Md. 260 (2009) (<http://www.courts.state.md.us/coappeals/webcastarchive.html#march2009>)

State v. Grant, Clemency Petition (filed with and granted by then-Governor O'Malley (2008-2012))

State v. Wilkins, Petitioner's Briefs and Oral Argument, 393 Md. 269 (2006)

New York v. Roman, Appellant's Briefs and Oral Argument, 88 N.Y.2d 18 (1996)

REVIEWS AND COMMENTARIES

A Step Back for Rights: The Supreme Court Failed to Take Bold Action on Civil Liberties in GPS Monitoring Decision, BALTIMORE SUN, News and Commentary at 21 (January 29, 2012)

Book Review: The New Jim Crow by Michelle Alexander, 47 CRIMINAL LAW BULLETIN 522 (2011)

Coming Off the Bench: Observations of a Rookie Clinician, 4 U. OF MD. L. J. OF RACE, RELIGION, GENDER AND CLASS 297 (2004)

SCHOLARLY PRESENTATIONS

"Policing the Prosecutor: The Fourth Amendment and the American Prosecutor," Criminal Justice Reform, Tommy G. Thompson Center on Public Leadership at the University of Wisconsin-Madison (April 26, 2018)

“Racial Issues in the Criminal Justice System,” Anatomy of Justice: An Honest Conversation on the Criminal Justice System in 2017, American University Washington College of Law, Washington, DC (November 10, 2017) (with Roger Fairfax, Marc Mauer, Katheryn Russell-Brown, and Angela J. Davis)

“Progressive Punishment: Poverty and the Criminal Sanction,” Criminal Justice Ethics Schmooze, Benjamin N. Cardozo School of Law, New York, NY (June 9, 2016)

“Racial Profiling—The Law, the Policy, and the Practice,” Mid-Atlantic Criminal Law Research Collective, hosted at George Washington University School of Law, Washington, DC (December 21, 2015)

“Stop & Frisk/Search & Seizure: *Terry v. Ohio*, *Floyd v. New York* and Beyond,” Criminal Justice in the 21st Century: Eliminating Racial and Ethnic Disparities in the Criminal Justice System II, co-hosted by The Brennan Center for Justice, NACDL, NACDL Foundation, the Center for NuLeadership, the Association of Prosecuting Attorneys, and the New York County Lawyers’ Association, Washington, DC (December 6, 2013) (with David Harris and Darius Charney)

“When Enough Is Enough: Location Tracking, Machine Learning and the Mosaic Theory,” Mid-Atlantic Criminal Law Research Collective, hosted at the Vera Institute, Washington, DC (December 5, 2013); and Privacy Law Scholars Conference, Berkeley, California (June 6, 2013) (with Steve Bellovin, Tony Jebara and Sebastian Zimmeck)

“Fifty Years After *Brady v. Maryland*: Where Are We Now?” Discussion Group, Southeastern Association of Law Schools, Palm Beach, FL (August 6, 2013)

“Stop *Terry*: Race, Reasonable Suspicion, and a Proposal to Limit *Terry* Stops,” Mid-Atlantic Criminal Law Research Collective, hosted by the University of Maryland Carey School of Law in Washington, DC (May 23, 2013)

“Chief Judge Bell and the Right to Counsel in Maryland,” Access to Justice: Five Decades of Change in Maryland and the Impact on America—A Symposium in Honor of Chief Judge Robert Bell, Baltimore, MD (April 19, 2013)

“You Can’t Handle the Truth! Trial Juries and Credibility,” Mid-Atlantic Criminal Law Research Collective, hosted at Georgetown University School of Law, Washington, DC (December 20, 2012)

“Binary Searches and the Fourth Amendment,” Panel Discussion, Southeastern Association of Law Schools, Amelia Island, FL (August 2, 2012)

“You Can’t Handle the Truth! Credibility, Juries and Appellate Courts,” Clinical Theory Workshop, New York Law School, New York, NY (March 30, 2012); and Mid-Atlantic Criminal Law Research Collective, hosted at George Washington University School of Law, Washington, DC (December 15, 2011)

“The Worthless Wounded: Rethinking Victims’ ‘Rights’ at Sentencing,” Mid-Atlantic Criminal Law Research Collective, hosted at New York University School of Law, New York, NY (May 13, 2009)

“Anatomy of a Search: Intrusiveness and the Fourth Amendment,” Faculty Development Workshop, University of Maryland Carey School of Law, Baltimore, MD (April 7, 2009); University of North Carolina School of Law, Chapel Hill, NC (April 17, 2008); Half-Baked Ideas Lunch, University of Maryland Carey School of Law, Baltimore, MD (April 7, 2008); New Scholars Panel, Southeastern Association of Law Schools, Amelia Island, FL (July 29, 2007); and Mid-Atlantic Criminal Law Research Collective, hosted at Georgetown University School of Law, Washington, DC (May 23, 2007)

“Tied Up in *Knotts*? GPS Technology and the Fourth Amendment,” Faculty Development Workshop, University of Maryland Carey School of Law, Baltimore, MD (November 13, 2006); and New Scholars Panel, Southeastern Association of Law Schools, Hilton Head, SC (July 17, 2005)

TALKS, INTERVIEWS, AND COMMUNITY SERVICE

“Clinical Rounds,” AALS Conference on Clinical Legal Education, Chicago, IL (April 30, 2018) (with Jeff Leslie)

“Policing the Black Man” Book Talk, University of Maryland Carey School of Law, Baltimore, MD (March 29, 2018) available online at <https://www.youtube.com/watch?v=sdlDuMjqJDs> (with Angela Davis and Kris Henning)

“Policing the Black Man” Book Talk, Georgetown Law Center, Washington, DC (February 12, 2018) (with Angela Davis, Roger Fairfax, and Kris Henning)

“Policing of Vulnerable Groups,” The Challenge of Crime in a Free Society: 50 Years Later, The George Washington University Law School, Washington, DC (October 27, 2017) (with Kris Henning, Erik Luna, and Tracey Meares)

“Media in the Age of Trump,” University of Maryland Carey School of Law, Baltimore, MD (October 9, 2017) (with Sheila Kast and Garrett Epps)

“Policing the Black Man” Book Talk, American University Washington College of Law, Washington, DC (August 30, 2017) (with Angela Davis, Roger Fairfax, Kris Henning, and Marc Mauer)

“Murder for Dealing,” On Point with Sheila Kast, WYPR Radio Station 88.1, Baltimore, MD (August, 28, 2017), available online at <http://wypr.org/post/murder-dealing>

“Policing the Black Man” Book Talk, Politics & Prose Bookstore, Washington, DC (July 20, 2017), available online at <https://archive.org/details/720Davis> (with Angela Davis, Roger Fairfax, and Kris Henning)

“Trial of Van Driver in Freddie Gray Case Reveals Prosecutor’s Violations,” NBC News (June 23, 2016), available online at <http://www.nbcnews.com/storyline/baltimore-unrest/trial-van-driver-freddie-gray-case-reveals-prosecutor-violations-n596731>

“Caesar Goodson, Baltimore Van Driver Charged in Freddie Gray Death, Acquitted,” NBC News (June 23, 2016), available online at http://www.nbcnews.com/news/us-news/caesar-goodson-baltimore-van-driver-charged-freddie-gray-death-acquitted-n595361?cid=sm_fb

“Could Outcome in Caesar Goodson Trial Spell End for Freddie Gray Case?” NBC News (June 9, 2016), available online at <http://www.nbcnews.com/storyline/baltimore-unrest/could-outcome-caesar-goodson-trial-spell-end-freddie-gray-case-n587681>

“Mapp v. Ohio,” Landmark Cases Series, C-SPAN (November 30, 2015), available online at <http://landmarkcases.c-span.org/Case/9/Mapp-V-Ohio> (with Dr. Carolyn Long, and host Susan Swain)

“Eliminating Racial Disparities in the Criminal Justice System—Best Practices and New Ideas,” Discussion Group, Southeastern Association of Law Schools, Boca Raton, FL (July 31, 2015)

“Reversing Mass Incarceration: What Reforms Are Working (or Could) and Why?” Discussion Group, Southeastern Association of Law Schools, Boca Raton, FL (July 29, 2015)

“The Freddie Gray Case,” The Last Word with Lawrence O’Donnell, MSNBC (May 1, 2015), available online at <https://www.youtube.com/watch?autoplay=1&v=SPFL8BiysZY&app=desktop>

“Baltimore Courts Struggle to Handle Protest Arrests,” BuzzFeed News (April 29, 2015), available online at <http://www.buzzfeed.com/nicolasmedinamora/baltimore-courts-struggle-to-handle-protest-arrests#.jwNj1J7Ank>

“Impact Decisions,” MSBA Litigation Section/Appellate Practice Committee Program, Annapolis, MD (March 19, 2015) (with Bruce Marcus and Judge Alan Wilner)

“Is Anybody There? Use of Cellphones and Technical Evidence in Criminal Cases,” 2014 Maryland Judicial Conference, National Harbor, MD (October 24, 2014) (with Judge Paul Grimm and Forensic IT Expert Blazer Catzen)

“Present and Future Issues Impacting State Clinical Law Programs,” Panel Discussion, 40th Anniversary Conference of the Clinical Law Program at the University of Maryland Carey School of Law, Baltimore, MD (April 4, 2014)

“The Impact of and Responses to Ineffective Lawyering,” Gideon’s Promise and Peril: Meeting the Mandate for Indigent Defense, Harvard Law School, Cambridge, MA (October 11, 2013), available online at <http://www.youtube.com/watch?v=hxuoO0cFrM0>

“Life After Death Row: A Conversation with Exoneree Gary Drinkard,” Gideon’s Promise and Peril: Meeting the Mandate for Indigent Defense, Harvard Law School, Cambridge, MA (October 11, 2013), available online at http://www.youtube.com/watch?v=sA_50I8CZJA

“Politics and Social Justice: A Private Conversation with Soledad O’Brien,” Open Society Institute, Baltimore, MD (January 25, 2013)

“Prosecutorial Overreaching and the Aaron Schwartz Case,” Voice of America News (January 16, 2013)

“Clinics and Teaching Methodologies: Teaching Critical Lawyering Skills Through Layered Legal Education,” Panel Discussion, Access to Justice and Clinical Legal Education Conference, University of KwaZulu Natal Howard College School of Law, Durban, South Africa (December 10, 2012)

“Post-Civil Rights and Post-Racial: Teaching and Training the Next Generation of Advocates,” Discussion Group, Southeastern Association of Law Schools, Amelia Island, FL (August 3, 2012)

“Educating Social Justice Lawyers,” Discussion Group, Southeastern Association of Law Schools, Amelia Island, FL (August 1, 2012)

“Life After the Conviction: Integrating ‘Legal Practice Gap’ Lessons into Legal Education,” Tenth International Clinical Legal Education Conference, Durham, UK (July 12, 2012)

“Supreme Court Update,” Midday with Dan Rodricks (discussing *Miller* -- no mandatory life without parole for juveniles), WYPR Radio Station 88.1, Baltimore, MD (June 25, 2012)

“Things I Wish Someone Had Told Me When I Started Teaching,” Plenary Session, 2012 Workshop for New Clinical Law School Teachers, American Association of Law Schools, Washington, DC (June 21, 2012)

“Careers in Clinical Law Teaching,” Panel Discussion, Yale Law School, New Haven, CT (March 22, 2012)

“Maryland Law Information Session,” Panel Discussion, Spelman College, Atlanta, Georgia (October 6, 2011)

“Supreme Court Preview,” Panel Discussion, American Constitution Society, University of Maryland Carey School of Law, Baltimore, MD (September 26, 2011)

“Your Path to Becoming a Judge,” Panel Discussion, American Constitution Society, Baltimore, MD (March 23, 2011), available online at <http://www.acslaw.org/news/video/your-path-to-becoming-a-judge-acs-maryland-lawyer-chapter>

“Criminal Procedure Workshop Roundtable: The Exclusionary Rule,” Panel Discussion, Southeastern Association of Law Schools, Palm Beach, FL (August 3, 2010)

Mid-Atlantic Criminal Law Research Collective, hosted at Fordham University School of Law, New York, NY (June 4, 2010)

“Crime and Punishment in a Race and Class-Conscious Society,” Panel Discussion, OSI-Baltimore Talking About Race Lecture Series, Enoch Pratt Free Library, Baltimore, MD (April 20, 2010) (with Bryan Stevenson and Angela Jordan Davis)

“*McCleskey v. Zant*: An Introduction to the Review of Criminal Convictions,” Leadership Scholars Program Lecture, University of Maryland Carey School of Law, Baltimore, MD (April 9, 2010; March 27, 2009; April 4, 2008; April 30, 2007; August 7, 2006)

“The Clemency Case for Mark Grant,” Midday with Dan Rodricks, WYPR Radio Station 88.1, Baltimore, MD (September 28, 2009)

“The Life of a Lawyer,” Panel Discussion, Community Law In Action (CLIA)’s Law and Leadership Academy Brown Bag Lunch Series, Reginald F. Lewis High School of Business and Law, Baltimore, Maryland (March 6, 2009)

“Carnegie, Best Practices and (Re)Development of the Law School Curriculum,” Clinical Law Program 35th Anniversary Conference, University of Maryland Carey School of Law, Baltimore, MD (March 6, 2009)

“Diversity in Legal Education,” University of Maryland, College Park, MD (April 10, 2008)

“The Impact of Documentaries on Law Teaching: What Lessons Are We Trying to Show? What Lessons Were Learned?: A Dialogue Between Law Teachers and Students,” What Documentary Films Teach Us About the Criminal Justice System, University of Maryland Carey School of Law, Baltimore, MD (March 1, 2008)

Member, Montgomery County Democratic Central Committee Election Day Legal Team (February 12, 2008)

“21st Century Challenges to Minority Representation,” Mid-Atlantic People of Color Scholarship Conference, University of Maryland Carey School of Law, Baltimore, MD (January 25, 2008)

Member, Committee on Litigation and Legal Priorities, American Civil Liberties Union of Maryland, (2007 - 2011)

Deputy Chair, Issues Subcommittee of the Montgomery County Democratic Central Committee (2007 - 2011)

“Laws and Rules: An Introduction to the Legal System,” Community Law in Action’s Summer Mock Trial Program Lecture, Baltimore, MD (August 6, 2007)

Poll Watcher, Maryland State Democratic Party Protect the Vote Initiative (November 2006)

“The Pitfalls of Relying on Forensic Evidence to Prove Guilt,” The CSI Effect on Criminal Prosecutions Symposium, University of Maryland Carey School of Law, Baltimore, MD (September 14, 2006)

“*Brooks v. Lewin*: An Introduction to Legal Analysis,” First-Year Orientation Program, University of Maryland Carey School of Law, Baltimore, MD (August 25, 2006; August 19, 2005)

“The Legacy of Thurgood Marshall,” Roundtable, Law and Society Association Annual Meeting, Baltimore, MD (July 7, 2006)

“Legal Services and Reentry: The Role of State’s Attorneys, Public Defenders and Legal Services Programs,” A Working Conference on the Collateral Consequences of Criminal Convictions and the Reentry of Ex-Offenders in Maryland, University of Maryland Carey School of Law, Baltimore, MD (November 18, 2005)

“Applying to Law School,” Spelman-Morehouse Pre-Law Society, Atlanta, GA (November 15, 2005)

“Working as a Lawyer for the Government,” Phi Alpha Delta Government Employment Program, University of Maryland Carey School of Law, Baltimore, MD (October 25, 2005)

“The Intersection of Race and Over-Incarceration,” Panel Discussion, Correcting the Correctional System: Evaluation and Implementation of the Justice Kennedy Commission’s Recommendations on Alternatives to Incarceration, University of Maryland Carey School of Law, Baltimore, MD (April 14, 2005)

“*Simmons v. Missouri* and the Juvenile Death Penalty,” Daybreak with Anthony McCarthy, WEAA Radio Station 88.9, Baltimore, MD (March 3, 2005)

“The Clemency Case for Walter Arvinger,” The Gloria Minott Show, WPFW Radio Station 89.3, Baltimore, MD (February 2005)

ACADEMIC SERVICE

CHAIR

Clinical Legal Education Association (CLEA)’s Per Diem Project	2007 - 2014
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CREATOR/FOUNDER

Maryland Carey Law - CLIA Mentoring Project (high school partnership)	2015 - 2017
Freddie Gray’s Baltimore: Past, Present and Future (law school course)	2015 - 2016
Mid-Atlantic Criminal Law Research Collective	2006

MEMBER

AALS Standing Committee on Clinical Legal Education	2015 - present
Mid-Atlantic Criminal Law Research Collective	2006 - present
CLEA Board of Directors	2007 - 2011

LICENSURE

ACTIVE

State of New York	1995 - present
State of Maryland	2005 - present
Supreme Court of the United States	2011 - present
U.S. District Court for the District of Maryland	2015 - present

VOLUNTARY WITHDRAWALS

State of Georgia
State of New Jersey
U.S. District Court for the District of New Jersey

1996 - 2006
2000 - 2010
2000 - 2010