

RENÉE MCDONALD HUTCHINS

Professor of Law • Co-Director, Clinical Law Program
University of Maryland Francis King Carey School of Law
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EXPERIENCE

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| UNIVERSITY OF MARYLAND CAREY SCHOOL OF LAW, Baltimore, MD | |
| Co-Director, Clinical Law Program | 2014 - present |
| Professor of Law | 2014 - present |
| Associate Professor (with tenure) | 2010 - 2014 |
| Assistant Professor | 2004 - 2010 |
| <ul style="list-style-type: none">• Courses: Appellate and Post-Conviction Advocacy Clinic, Criminal Procedure, Criminal Appeals, Fourth Circuit Decisions• Practice: Primarily criminal appellate and post-conviction work in Maryland courts (state)• University of Aberdeen, Scotland: Comparative Criminal Processes | Summer 2011 |
| NEW YORK UNIVERSITY SCHOOL OF LAW, New York, NY | 2002 - 2004 |
| Acting Assistant Professor | |
| <ul style="list-style-type: none">• Course: Lawyering Program (required first-year legal writing class) | |
| SILLS CUMMIS EPSTEIN & GROSS, Newark, NJ | 2000 - 2002 |
| Senior Associate | |
| <ul style="list-style-type: none">• Practice: Primarily criminal tax defense and general civil litigation | |
| UNITED STATES DEPARTMENT OF JUSTICE, Washington, DC | 1997 - 2000 |
| Trial Attorney, Tax Division, Northern Criminal Enforcement Section | |
| <ul style="list-style-type: none">• Practice: Criminal tax prosecutions | |
| Special Assistant United States Attorney, District of Columbia | 8 months |
| <ul style="list-style-type: none">• Practice: Primarily general misdemeanor bench and jury trials | |
| SOUTHERN CENTER FOR HUMAN RIGHTS, Atlanta, GA | 1996 - 1997 |
| NACDL Death Penalty Counsel | |
| <ul style="list-style-type: none">• Practice: Primarily federal habeas litigation and criminal appellate/post-conviction defense in Georgia courts (state) | |
| OFFICE OF THE APPELLATE DEFENDER, New York, NY | 1994 - 1996 |
| Staff Attorney | |
| <ul style="list-style-type: none">• Practice: Criminal appellate work in New York courts (state) | |
| LAW CLERK, THE HONORABLE NATHANIEL R. JONES | 1993 - 1994 |
| U.S. COURT OF APPEALS, SIXTH CIRCUIT | |

EDUCATION

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| YALE LAW SCHOOL | |
| J.D., May 1993 | |
| <ul style="list-style-type: none">• Yale Moot Court Board of Directors (Chair, 1992-1993) | 1991 - 1993 |

SPELMAN COLLEGE

B.A., *cum laude* in Mathematics, June 1990

- Beta Kappa Chi National Scientific Honor Society
- Pi Mu Epsilon National Mathematics Honor Society

APPOINTMENTS

Member:

- Character Committee of the Court of Appeals of Maryland, Sixth Appellate Circuit 2014 - present
- Appellate Courts Judicial Nominating Commission of Maryland, appointed by Governor O'Malley to two successive four-year terms; re-appointed to new four-year term by Governor Hogan in 2015 2007 - present
- Board of Directors, Judicial Institute of Maryland 2012 - present
 - Member, Curriculum Committee
- Appellate Panel, Assigned Counsel Plan, Supreme Court, State of New York, Appellate Division (First Department) 2002-2010

SELECTED APPELLATE OR POST-CONVICTION REPRESENTATIONS

State v. Spencer, No. 493, Petition for Writ of Certiorari, (Md. November 20, 2015)

In re Kaylah S., No. 1330, Opposition to State's Motion to Dismiss and Appellant's Reply Brief (Md. App. 2015)

Carter v. State, No. 2742, Appellant's Briefs and Argument (unreported, Md. App., May 13, 2013)

Carter v. State, No. 142, Appellant's Briefs (Md. App. 2011, 2013)

Lance v. State, No. 161, Leave Application (Md. App. 2012)

Ward v. State, No. 192324028, Petition for Writ of Actual Innocence (Cir. Ct. Balt. City 2012)

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

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

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

State v. Grant, Clemency Petition (filed with Governor O'Malley in 2008)

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

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

SELECTED PUBLICATIONS

LEARNING CRIMINAL PROCEDURE (West Academic) (with Professor Ric Simmons, Ohio State Moritz School of Law and former Assistant District Attorney, New York County) (2014)

When Enough Is Enough: Location Tracking, Machine Learning and the Mosaic Theory (with Professor Steve Bellovin, Professor Tony Jebara, and Sebastian Zimmeck), 8 NYU JOURNAL OF LAW & LIBERTY 555 (2014)

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

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

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

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

DEVELOPING PROFESSIONAL SKILLS: CRIMINAL PROCEDURE (West Academic) (forthcoming 2016)

Racial Profiling—The Law, The Policy, and the Practice in A. Davis, Ed., POLICING BLACK MEN: ARREST, PROSECUTION AND PRISON (Penguin Random House) (forthcoming)

GPS Surveillance in D. Gray & S. Henderson, Eds., CAMBRIDGE HANDBOOK OF SURVEILLANCE LAW (Cambridge University Press) (forthcoming)

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

"Race Matters:" Reasonable Suspicion, Race, and the Fourth Amendment (work-in-progress)

SELECTED REVIEWS AND COMMENTARY

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 Section 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)

SELECTED SYMPOSIA, LECTURES AND PANEL DISCUSSIONS

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

"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

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

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

“Stop & Frisk/Search & Seizure: *Terry v. Ohio*, *Floyd v. New York* and Beyond,” (with David Harris and Darius Charney), 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 New York County Lawyers’ Association, Washington, DC, December 6, 2013

“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 (with Steve Bellovin, Tony Jebara and Sebastian Zimmeck), Privacy Law Scholars Conference, Berkeley, California, June 6, 2013

“The Impact of and Responses to Ineffective Lawyering,” Gideon’s Promise and Peril: Meeting the Mandate for Indigent Defense, Harvard Law School, 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, October 11, 2013 available online at http://www.youtube.com/watch?v=sA_50I8CZJA

“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

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

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

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

“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 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 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 School of Law, Baltimore, MD, November 13, 2006; and New Scholars Panel, Southeastern Association of Law Schools, Hilton Head, SC, July 17, 2005

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

“The Legacy of Thurgood Marshall Roundtable,” The 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 School of Law, Baltimore, MD, November 18, 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 School of Law, Baltimore, MD, April 14, 2005

SELECTED PROFESSIONAL SERVICE

Chair:

- Per Diem Project, Clinical Legal Education Association 2007- 2014

Facilitator:

- Criminal Law Working Group, AALS Conference on Clinical Legal Education, Los Angeles, CA April 29 – May 3, 2012

Member:

- Committee on Clinical Legal Education, Association of American Law Schools 2015-present
- Mid-Atlantic Criminal Law Research Collective 2006-present
- Board of Directors, Clinical Legal Education Association 2007-2011

Panel Discussions and Presentations:

- “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
- “Clinics and Teaching Methodologies: Teaching Critical Lawyering Skills Through Layered Legal Education,” Panel Discussion, Access to Justice and Clinical Legal Education Conference (honoring Professor David McQuoid Mason), 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 Florida, 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
- “Things I Wish Someone Had Told Me When I Started,” 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
- “Your Path to Becoming a Judge,” Panel Discussion, American Constitution Society, Baltimore, MD, March 23, 2011, <http://www.acslaw.org/news/video/your-path-to-becoming-a-judge-acslaw-maryland-lawyer-chapter>
- “Carnegie, Best Practices and (Re)Development of the Law School Curriculum,” Clinical Law Program 35th Anniversary Conference, University of Maryland 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 School of Law, Baltimore, MD, March 1, 2008
- “21st Century Challenges to Minority Representation,” Mid-Atlantic People of Color Scholarship Conference, University of Maryland School of Law, Baltimore, MD, January 25, 2008
- “*McCleskey v. Zant*: An Introduction to the Review of Criminal Convictions,” Leadership Scholars Program Lecture, University of Maryland School of Law, Baltimore, MD, April 9, 2010; March 27, 2009; April 4, 2008; April 30, 2007; August 7, 2006
- “*Brooks v. Lewin*: An Introduction to Legal Analysis,” First-Year Orientation Program Lecture, University of Maryland School of Law, Baltimore, MD, August 25, 2006; August 19, 2005
- “Working as a Lawyer for the Government,” Phi Alpha Delta Government Employment Program, University of Maryland School of Law, Baltimore, MD, October 25, 2005

SELECTED COMMUNITY SERVICE AND INTERVIEWS

The Last Word with Lawrence O'Donnell (discussing officers charged in death of Freddie Gray), 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/nicolasmadinamora/baltimore-courts-struggle-to-handle-protest-arrests#.jwNj1J7Ank>

"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

"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

"Maryland Law Information Session," Panel Discussion, Spelman College, Atlanta, Georgia, October 6, 2011

Member, Open Society Institute Baltimore, Leadership Council, 2010-2013

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

"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, CLIA's Law and Leadership Academy Brown Bag Lunch Series, Reginald F. Lewis High School of Business and Law, Baltimore, Maryland, March 6, 2009

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

"Applying to Law School," Spelman-Morehouse Pre-Law Society Year-End Meeting, Atlanta, GA, November 15, 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

LICENSURE

ACTIVE:

- State of New York: admitted May 1, 1995
- State of Maryland: admitted Dec. 20, 2005
- Supreme Court of the United States: Oct. 31, 2011

INACTIVE:

- State of Georgia: admitted Nov. 25, 1996; voluntary withdrawal Nov. 21, 2006
- State of New Jersey: admitted Dec. 4, 2000; resigned without prejudice July 15, 2010
- U.S. District Court for the District of New Jersey: admitted Dec. 29, 2000; resigned without prejudice July 15, 2010