

SUSAN N. HERMAN
(718) 780-7945 (office)
(718) 780-0376 (FAX)
susan.herman@brooklaw.edu

Current Employment (1980 to present)

Centennial Professor of Law
Brooklyn Law School
250 Joralemon Street
Brooklyn, New York 11201

Courses taught: *Criminal Procedure*, *Constitutional Law*, Criminal Law, Law and Literature, *Terrorism and Civil Liberties Seminar*, Prisoners' Rights, Historic Criminal Trials Seminar, Federal Litigation Clinic (current courses in italics)

Visiting Professor of Law
Columbia University School of Law, Criminal Law (Spring 1994)

President, American Civil Liberties Union (2008-present)

Past Legal Employment

Associate Director, 1978-1980; staff attorney, 1976-78
Prisoners' Legal Services of New York

Pro Se Law Clerk, 1974-76
United States Court of Appeals for the Second Circuit

Education

New York University School of Law, J.D. *cum laude*, June 1974
New York University Law Review, Note and Comment Editor
Order of the Coif
John Norton Pomeroy Prize for Scholarship, 1972-73; 1973-74
Founders' Day Award for Scholarship
Paul D. Kaufman Award for most meritorious law review note, 1973

Barnard College, B.A., June 1968
Major: Philosophy

Admitted to practice, New York 1975 (First Department)

Writings and Publications

Books

TAKING LIBERTIES: THE WAR ON TERROR AND THE EROSION OF AMERICAN DEMOCRACY (Oxford 2011), expanded paperback edition (2014), winner of the ITT Chicago-Kent/Roy C. Palmer Prize

TERRORISM, GOVERNMENT, AND LAW: NATIONAL AUTHORITY AND LOCAL AUTONOMY IN THE WAR ON TERROR, editor and co-author, with Paul Finkelman (Praeger Security International 2008)

THE SIXTH AMENDMENT RIGHT TO A SPEEDY AND PUBLIC TRIAL (Praeger Press 2006) (series on the Constitution)

Selected Sections of Books

Embattled Paradigms: The “War on Terror” and the Criminal Justice System, in THE CONSTITUTION AND THE FUTURE OF CRIMINAL JUSTICE IN AMERICA (John Parry & Song Richardson, eds.) (Cambridge University Press 2013)

American Federalism and the American Civil Liberties Union, in WHY THE LOCAL MATTERS (written with Norman Dorsen), (Liman Public Interest Program at Yale Law School & National State Attorneys General Program at Columbia Law School, 2010)

The Balance of Evils: Evil, Law, and State Surveillance, in RIGHTS, CITIZENSHIP, AND TORTURE (Interdisciplinary Press 2009)

Reading between the Lines: Judicial Protection for Socioeconomic Rights Under the South African and United States Constitutions, in COMPARATIVE CONSTITUTIONALISM AND RIGHTS: GLOBAL PERSPECTIVES (Penny Andrews & Susan Bazilli, eds.) (Vandeplas 2008)

Philadelphia: Law in the City of Brotherly Love, in SCREENING JUSTICE—THE CINEMA OF LAW: SIGNIFICANT FILMS OF LAW, ORDER AND SOCIAL JUSTICE (R. Strickland, T.E. Foster, and T. Lovell Banks, eds.) (W.S. Hein 2006)

Selected Law Review Articles

[*Liberty, Equality, Fraternity: Reconciling National Values and Human Rights*](#), Human Rights Law Review (2018)

[*Getting There: On Strategies for Criminal Justice Reform for the Future*](#), Berkeley Journal of Criminal Law (2018)

[*Ab\(ju\)dication: How Procedure Defeats Civil Liberties in the “War on Terror,”*](#) Suffolk University Law Review, 2017, Volume 50 Issue 1

Constitutional Utopianism, 48 University of the Pacific L. Rev. 93 (2016)

Portrait of a Judge: Judith S. Kaye, Dichotomies, and State Constitutional Law, 75 ALBANY L. REV. 1977 (2011/2012)

The Limits of Advocacy: Lawyers for Terrorists/Lawyers for Torturers, HARV. L. & POLICY REV. (2010)

Federal Criminal Litigation in 20/20 Vision, 13 LEWIS & CLARK L. REV. 461 (2009) (Federal Judicial Center 40th anniversary symposium)

The USA Patriot Act and the Submajoritarian Fourth Amendment, 41 HARV. CIV. RTS.-CIV. LIBS. L. REV. 67 (2006)

Balancing the Five Hundred Hats: On Being a Legal Educator/Scholar/Activist, 41 TULSA L. REV. 637 (2006) (symposium issue)

Collapsing Spheres: Joint Terrorism Task Forces, Federalism, and the War on Terror, 41 WILLAMETTE L. REV. 941 (2005) (symposium issue)

Our New Federalism? National Authority and Local Autonomy in the War on Terror, 69 BKLYN L. REV. 1201 (2004) (symposium issue)

Applying Apprendi to the Federal Sentencing Guidelines: You Say You Want a Revolution?, 87 IOWA L. REV. 615 (2002) (symposium on federal sentencing)

The Jury in the Twenty-First Century, An Introduction (with Lawrence M. Solan), 66 BKLYN L. REV. 971 (2001) (symposium issue)

Measuring Culpability by Measuring Drugs?: Three Reasons to Reevaluate the Rockefeller Drug Laws, 63 ALBANY L. REV. 777 (2000) (symposium issue)

Slashing and Burning Prisoners' Rights: Congress and the Supreme Court in Dialogue, 77 OR. L. REV. 1229 (1998)

Politicians on Judges: Fair Criticism or Intimidation?, Commentary, 72 N.Y.U.L. REV. 339 (1997)

Reconstructing the Bill of Rights: A Reply to Amar and Marcus's Triple Play on Double Jeopardy, 95 COLUM. L. REV. 1090 (1995)

Double Jeopardy All Over Again: Dual Sovereignty, Rodney King, and the ACLU, 41 UCLA L. REV. 609 (1994) (symposium)

Why the Court Loves Batson: Representation-Reinforcement, Colorblindness, and the Jury, 67 TULANE L. REV. 1807 (1993) (symposium on race and crime)

Thelma and Louise and Bonnie and Jean: Images of Women as Criminals, 2 S. CAL. REV. OF LAW & WOMEN'S STUDIES 53 (1992) (symposium on women and crime)

The Tail That Wagged the Dog: Bifurcated Factfinding under the Federal Sentencing Guidelines and the Limits of Due Process, 60 S. CAL. L. REV. 289 (1992) (symposium on the Guidelines)

Why Parity Matters, 71 B.U. L. REV. 651 (1991)

Beyond Parity: Section 1983 and the State Courts, 54 BKLYN. L. REV. 1057 (1989); excerpts reprinted in A SECTION 1983 CIVIL RIGHTS ANTHOLOGY (Sheldon H. Nahmod, ed.) (Anderson Publishing Co. 1993)

The Insanity Defense in Fact and Fiction: A Review Essay of Norval Morris's MADNESS AND THE

CRIMINAL LAW, 1985 AMERICAN BAR FOUNDATION RESEARCH JOURNAL 385 (1985)

The New Liberty: The Procedural Due Process Rights of Prisoners and Others under the Burger Court, 59 N.Y.U.L. REV. 482 (1984)

Institutional Litigation in the Post-Chapman World, 12 N.Y.U. REV. OF LAW AND SOCIAL CHANGE 299 (1983-84)

Pro Se Litigation, The Second Circuit Review, 42 BKLYN. L. REV. 629, 663-82 (1976) (written with Ira P. Robbins); reprinted in II PRISONERS' RIGHTS SOURCEBOOK (Ira P. Robbins, ed.) (Clark Boardman, 1980)

Note, *On Privacy: Constitutional Protection for Personal Liberty*, 48 N.Y.U.L. REV. 670-773 (1973) (written with Linda D. Simonson)

Selected Periodicals

STAND (ACLU Magazine) columns, Summer 2014-present

[*Double Jeopardy All Over Again?*](#), Harvard Law Review Blog, April 30, 2018

Can We Fire the Electoral College? Probably Not, But We Can Put It Under New Management, HUFFINGTON POST, December 19, 2016

People v. Gillette and Theodore Dreiser's *An American Tragedy*: Law v. Literature, JUDICIAL NOTICE, Issue 11, 2016

[*Getting to the Core of the Apple/FBI Dispute*](#), BLS Faculty Corner, March 11, 2016

[*Love Triangles, Death, and Doubt: People v. Gillette and An American Tragedy*](#), HISTORICAL SOCIETY OF THE NY COURTS, Jul. 2016

[*We Didn't Always Have Free Speech*](#), TIME (online), November 2015

JURIST columns, [*The Second Circuit's Ghailani Decision and a Departure from the Right to a Speedy Trial*](#), JURIST, Dec. 26, 2013; [*Five Years Later: Law and the Fog of 9/11*](#), JURIST, Sept. 11, 2006; [*PATRIOT Games: Terrorism Law and Executive Power*](#), JURIST, Jan. 26, 2006; [*Yasser Hamdi and the Fourth Circuit's Legal No-Man's Land*](#), JURIST, Jan. 13, 2003

Ten Years of 9/11: The Patriot Act's Overreach Continues to Affect Lawyers, As Well As Ordinary Americans, AMERICAN LAWYER, Sept. 2011

Room for Debate, N.Y. TIMES: [*Taking and Restoring the Rights of Felons, Restore the Right to Vote*](#), Nov. 16, 2011; [*Do We Still Need a Patriot Act? Too Many Needless Provisions*](#), Nov. 14, 2011

Os desafios do crime cibernético, O Núcleo de Estudos de Direitos Humanos e Política Criminal,

Universidade Federal do Rio Grande do Sul, Brasil, 2013 (translated article on American approaches to cybercrime), <http://seer.ufrgs.br/index.php/redppc/article/view/46105>

Checking Our Balances, AMERICAN LAWYER, July 2003

[*The USA Patriot Act and the USA Department of Justice: Losing Our Balances?*](#), THE JURIST, Dec. 3, 2001; reprinted in [CounterPunch](#), Dec. 4, 2001; Sara Constantakis, HISTORY OF ISSUES: CRIME (Gale 2006); Dennis Okerstrom, PEACE, WAR, AND TERRORISM 103 (Pearson Longman 2004); James Jandrowitz & Jay L. Spaulding, 9-11 AND BEYOND 237 (Kendall/Hunt 2003)

Columns for Newsday/New York Newsday, Aug. 12, 1986-Sept. 16, 2005.

Selected Presentations

Panelist, “Interdependence of Human Rights,” Irish Department of Foreign Affairs and Trade (DFAT) Anniversary of UDHR (December 2018)

Panelist, “Shrinking Civil Society Space: Towards an Adequate Civic Response,” Polish Helsinki Foundation for Human Rights/Open Society Justice Initiative, Warsaw (December 2018)

Panelist, “Bridging Ideological Chasms - In Life and In the Conference Room” (with Hon. Cheryl E. Chambers), AJEI Summit (November 2018)

Speaker, “[Do We Live in a Democracy?](#),” Dean’s Law and Policy Series: Bringing the World Into the Law School, Brooklyn Law School (November 2018)

Speaker, “[Conversation with ACLU President Susan Herman](#),” New York Society for Ethical Culture (October 2018)

Panelist, “[Freedom of Expression around the World](#)” (with Mai Khoi, Julio Martinez Ellsberg, Ben Schwerin), Clinton Global Initiative University (October 2018)

Keynote, “The ACLU’s Vision for Achieving Gender Justice,” Women’s Leadership Forum (October 2018)

What the Constitution Means to Me, NY Theatre Workshop, post-show discussion (with Dr. Kelvin Black) (September 2018)

Moderator, “[The War on Truth and Journalism](#),” Brooklyn Book Festival (September 2018)

Panelist, “When Liberal Values Collide,” The Economist Open Future Festival (September 2018)

The Originalist, Arena Stage, post-show discussion (with Mark Bly) (August 2018)

Keynote, Barnard 50th Reunion (June 2018)

Panelist, “[The First Amendment and the Law](#)” (with Suzanne Nossel and Assistant Attorney General Jesse Panuccio), Washington Post Free to State: The Future of the First Amendment (June 2018)

Panelist, “Supreme Court and Other Significant Cases Update” (with Erwin Chemerinsky and Paul Rashkind), National Seminar for Federal Defenders (2011-2012, 2014, 2016-2018)

Keynote, “Has Donald Trump Made the ACLU Great Again?,” ACLU of New Jersey Gala (May 2018)

Collision Conference (New Orleans) (April 2018)

- “Hero or Villain: Government Regulation Online,” roundtable discussion
- Panelist, “The Future for America: Tech, Politics and Civil Rights” (with Cenk Uygur and Andrew Yang)
- “Q&A with Susan Herman, President of the ACLU”
- Panelist, “[Time for Action](#)” (with Sophia Bush and Nancy Armstrong)

Keynote, “How A Leader Is Born,” Girl Up, New York Summit (April 2018)

Keynote, “Free Speech on Campus,” Ivy Policy Council (April 2018)

Keynote, “A Republic, If You Can Keep It,” Cornwall CT Historical Society, Norman Dorsen Annual Lecture (April 2018)

“Women & Workforce Development in Saudi Arabia,” roundtable discussion, Saudi Mission to the United Nations (March 2018)

Speaker, “A Republic, If You Can Keep It,” Students for Liberty Conference, (D.C.) (March 2018)

Panelist, “Can Racial Justice and Hate Speech Coexist?” (with Alexander Tsesis), William & Mary Law School Symposium on Speech, Protest, and the Role of State Actors (February 2018)

Opening Speech, “Resolved: Embrace the Popular Vote,” Yale Political Union (January 2018)

Introductory Remarks, [IT OCCURS TO ME THAT I AM AMERICA](#) book launch, Strand (January 2018)

Lecturer, “Liberty, Equality, Fraternity: Reconciling National Values and Human Rights,” Human Rights Collegium at Queen Mary (London) (November 2017)

Keynote, “Defending Free Speech Even When It Hurts,” Cato Institute (November 2017)

Web Summit Lisbon (November 2017)

- Panelist, “Tech Has a Diversity Problem” (with Blake Irving, GoDaddy, and Jane Martinson, The Guardian)
- Panelist, “Does the Convenience of New Technology Involve a Tradeoff with Privacy?” (with Jon von Tetzchner and Robert Wainwright)
- “[We Are Wordless Without One Another: The ACLU and the Fight for LGBT Rights](#)” (Moderator: Andrew Marantz, The New Yorker)

Speaker, “[Wikid Democracy: How We Can Save Free Speech, Privacy, and Democratic Values](#)” Wikimania (August 2017)

Panelist, “The Responsibility of Citizens in the Modern Era,” (with David Azerrad, Sabeel Rahman, Vince Warren, and Michel Martin), National Archives, *Amending America: Building a More Perfect Union* (June 2017)

Speaker, “[A More Perfect Union](#),” Columbus (OH) Metropolitan Club (June 2017)

Speaker, “Because Freedom Can't Protect Itself,” Stanford University Very Impactful People (May 2017)

Speaker, “Civil Liberties in the Workplace and Beyond,” Executives’ Club of Chicago (May 2017)

Panelist, “The Imperial Presidency vs. the Constitution?” (with John Malcolm, John Harrison, and Jeffrey Rosen), National Constitution Center Freedom Day (April 2017)

Keynote, “The ACLU and the Trump Administration,” Kessel Memorial Peace Lecture, Minnesota State University at Mankato (March 2017)

Keynote, American Muslim Union Luncheon (March 2017)

Speaker, “Civil Liberties and the Trump Administration: No Civil Liberties Battle Ever Stays Won,” University of Illinois at Chicago: Campus Conversations (March 2017)

Speaker and Award Recipient, Japanese American Bar Association, Los Angeles (March 2017)

Panelist, “Surveillance: The Battle for Freedom and Security,” New York Historical Society (October 2016)

Keynote, “This is What Leadership Looks Like,” Columbia Spectator Women’s Leadership Conference (October 2016)

Debate, “Resolved – The Supreme Court Should Overrule Its Decision in *Miranda v. Arizona*,” (with Paul Cassell), Heritage Foundation (September 2016)

Keynote Speaker, “Is Freedom of Speech Dying?,” Cato University (July 2016)

Panelist, “Civil Rights and Civil Liberties in a Climate of Suspicion,” Arab American Institute Foundation (AAIF) Democratic Convention Panel (July 2016)

Advocate, Senate Democratic Caucus Roundtable Discussions on Voting Rights, LGBT rights, Criminal Justice Reform, Women and Economic Justice, Reproductive Freedom (2014-2016)

Keynote, “On Balancing Liberty and National Security,” Annual Meeting of the German Association for American Studies (May 2016)

Teleconference, “Where Bullying and the First Amendment Collide,” ABA Civil Rights and Social Justice Section (May 2016)

Keynote, “Ab(ju)dication: The War on Terror, Civil Liberties, and the Courts,” Suffolk University Law Review Donahue Lecture Series (March 2016)

Keynote, “Electing Liberty,” International Students for Liberty Conference (February 2016)

Panelist, "Surveillance and Speech," Brooklyn Law School Symposium, *Free Speech Under Fire: The Future of the First Amendment* (February 2016)

Participant, Roundtable Discussion on Economic Opportunity, Equity, and Race, with U.S. Department of the Treasury Secretary Lew (January 7, 2016)

Advocate, Criminal Justice Meeting at the White House, with Valerie Jarrett et al (August 2015)

Speaker, "Privacy in the Digital Age: Why Should I Care What the Government Knows About Me?" Berkeley Forum (May 2015)

Speaker, "The Year of Technology: Civil Liberties in the Information Age," Grace Cathedral Forum (May 2015)

Panelist, "Freedom of the Press vs. Fighting Terror Effectively," Jerusalem Press Club Conference (May 2015)

Panelist, "Digital Me: The Right to Privacy vs. the Public Good," Milken Institute Global Conference (April 2015)

Speaker, "Why Should I Care? Race, Religion, and Rights in Post-9/11 America," University of Chicago Law School (April 2015)

Panelist, "Countering the New Wave of Terrorism at Home and Abroad," (with Derek Chollet, Gilles de Kerchove, and Hon. Volkan Bozkir), The German Marshall Fund's Brussels Forum (March 2015)

Keynote, "Civil Liberties and the War on Terror," College of Charleston Department of Political Science Convocation Lecture (February 2015)

Speaker, "The ACLU and Times of War," Princeton University Woodrow Wilson School of Public & International Affairs, Civil Liberties in Times of War Conference (September 2014)

Keynote, "Is the Patriot Act Patriotic?," Public Policy Forum of Crested Butte, CO (July 2013)

Panelist, "Privacy in America: The NSA and the Constitution," (with General Michael Hayden, Sen. Mike Lee, et al), Joint Washington Times, Microsoft, and ACLU event (June 2014)

Opening Remarks, Legislative Theatre Event, Theatre of the Oppressed NYC (May 2014)

Speaker, "An American Tragedy," Historical Society of the New York Courts (May 2014)

Debate, "The Clash of Generations: Privacy Is an Outdated Concept," St. Gallen Symposium, St. Gallen University, Switzerland (May 2014)

Panelist, "The Psychology of the Criminal Justice Process," (with Dan Simon and Craig Watkins), Federal Judicial Center National Workshops for District Judges, Washington DC (May and August 2014)

Speaker, "Muslim-Americans in Post 9/11 America," University of Chicago, Muslim Student Association (April 2014)

Speaker, "Government Surveillance, Secrecy and Retaliation Against Whistleblowers: Civil Liberties in the National Security Era," University of California at Santa Barbara (March 2014)

Speaker, "Civil Liberties in the National Security Era: What Happened to Edward Snowden?," CalTech Social Activism Speaker Series (March 2014)

Speaker, "A(b)judication: The War on Terror, Civil Liberties, and the Courts," University of California at Irvine School of Law (March 2014)

Speaker, "George Orwell's *1984*: Could It Happen Here? Is It Happening?," Los Angeles City College Book Program (March 2014)

Keynote, U.S. Army War College National Security Seminar (June 2009, 2010, 2011, 2013)

Keynote, "Gideon's Muted Trumpet: The Supreme Court, the Criminal Justice System, and the Quest for Equality," Florida Criminal Defense Attorneys Seminar, Fiftieth Anniversary of *Gideon v. Wainwright* Program (March 2013)

Keynote, "Ab(ju)dication: The War on Terror, Civil Liberties, and the Courts," University of Texas School of Law, Civil Rights Conference on Barriers and Innovations in Civil Rights Litigation Since 9/11: Practical and Theoretical Perspectives (February 2012)

Keynote, "Taking Liberties: The War on Terror, Civil Liberties, and the American Courts," Wallenberg Lecture, McGill Law School (March 2012)

Debate, "Debating the Patriot Act a Decade Later" (with Steven Bradbury), Appellate Judges Education Institute Summit (AJEI) (November 2012)

Speaker, "Portrait of a Judge," Unveiling of Judith Kaye portrait at New York State Court Of Appeals, Albany, NY (October 2011)

Speaker, "Taking Liberties: Gender, Race, and Rights in Post 9/11 America (and why you should care)," Harvard Law School (November 2011)

Debate, "Constitutional Rights and National Security: Do We Need to Compromise?" (with Amos Guiora), University of Utah S.J. Quinney School of Law, 26th Fordham Debate (2010)

Keynote, Harvard University, Public Interest and Law Conference (2009)

Speaker, "Civil Liberties in the Age of Obama," Cornell Institute for Public Affairs (October 2009)

Keynote, "Women and Terrorism," Rutgers Law School, Rutgers Women's Rights Law Reporter 40th Anniversary Symposium (March 2009)

Speaker, Federal Judicial Center Training Programs and Videoseminars for Appellate and District Judges, Magistrate Judges, Federal Defenders, *Pro Se* Law Clerks, and Staff Attorneys (1990-present)

Practising Law Institute, Annual Supreme Court in Review Panel (1999-2009) (speeches

reprinted in the *Touro Law Review*, 2007-2009)

Speaker, New York State Bar Association, Committee on Attorneys in Public Service Annual Program (2001-09); Civil Rights and Criminal Law Committees (2009)

Speaker, "Constitutionalism and the Redress of Poverty," Comparative Constitutional Law Conference, University of KwaZulu Natal, Durban, South Africa (December 2005)

Speaker, "Terrorism, Global Security, and the Law," Rand Corporation, Los Angeles Terrorism Early Warning Group (2005, 2006, 2008)

Speaker, Annual Council of Appellate Staff Attorneys Seminar, ABA (1994-2008)

Scholar in Residence, Hanover College (with Paul Rosenzweig and John Yoo) (March 2005)

Panelist, "Laboratories of Democracy: Federal and State Independency," Willamette Law School (March 2005)

The Chicago Conspiracy Trial, The Culture Project, post-show discussion (with Leonard Weinglass) (October 2004)

Speaker, Rio Grande do Sul Public Prosecutors Forum, Porto Alegre, Brazil, American and Comparative Approaches to Cybercrime (October 2004)

Panelist, Rutgers Center for the Study of Public Security, Conference on Economic and Legal Consequences of Heightened Security (with Michael Chertoff et al.) (June 2004)

Orwell's *Animal Farm*, Synapse Productions, post-show discussion (March 2004)

Convener and Speaker, "Our New Federalism? National Authority and Local Autonomy in the War on Terror," David G. Trager Public Policy Symposium (November 2003)

Panelist, William & Mary Institute of Bill of Rights Law Supreme Court Preview (including appellant's moot court argument in *Ferguson v. City of Charleston*) (1999, 2000, 2003)

Panelist, Program of Committees on the Military and Civil Rights (with Larry Thompson, Col. Will Gunn, et al.), National Bar Association (August 2003)

Debate, "The Rule of Law in Times of Terrorism" (with Ruth Wedgwood), Association of the Bar of the City of New York (March 2003)

Panelist, 92nd Street Y, A Critique of the Supreme Court (with Martin Garbus, John McGinnis, and Kenneth Starr) (September 2002)

Panelist, "Canadian Responses to Terrorism," Association of Canadian Studies (September 2002)

Speaker, "The USA Patriot Act," Texas Bar Association (April 2002)

Interviewer, Justice Sandra Day O'Connor and New York Chief Judge Judith Kaye, National Association of Women Judges dinner, (October 2001) (broadcast on C-SPAN) (November 2001)

Speaker, “The Supreme Court’s New Federalism – A Threat to Federal Power and Civil Rights Protections?”, Anti-Defamation League New York Lawyers’ Division (March 2001)

Co-Convener and Participant, “The Jury in the Twenty-First Century: An Interdisciplinary Conference,” Brooklyn Law School (October 2000)

Speaker, “Threats to Dissent in the Twenty-First Century,” University of Hawai’i, ACLU of Hawai’i, and League of Women’s Voters (May 2000)

Speaker, Symposium, “Drug Crimes: Penal Jurisprudence in Punishment and Treatment,” Albany Law School (November 1999)

Speaker, Judicial Conferences: Eighth Circuit (1999); Fifth Circuit (1994); New Jersey (1995); Alaska (1995)

Panelist, “*Gideon*: A Generation Later,” Univ. of Maryland School of Law Symposium on the effectiveness of *Gideon v. Wainwright* in the appellate courts (March 1999)

Speaker, “Politicians on Judges: Fair Criticism or Intimidation,” (with Mario Cuomo, Jeanine Pirro, Bob Herbert, Stephen Bright), Ass’n of the Bar of the City of N.Y. (October 1996)

Speaker, Regional Training Conferences for Criminal Justice Act Attorneys, Administrative Office Defender Services Division (1993-94)

Presenter, "A Jury of One's Peers?: Race, Gender, and the Jury," Twenty-Third Annual Samuel J. Konefsky Memorial Lecture, Brooklyn College (May 1994)

Speaker, New York City Police Academy (1992, 1993)

Speaker, Symposium on the Federal Sentencing Guidelines, University of Southern California Law School (February 1992)

Participant, Colloquium: “Effective Assistance of Counsel for the Indigent Defendant,” New York University School of Law (March 1985)

Professional Activities

President, American Civil Liberties Union (2008-present); Member, National Board of Directors (1988-present); Member, Executive Committee (1992-present); General Counsel (1998-2008)

Chair, American Civil Liberties Union, Due Process Committee (1985-1997); member (1982-1997)

Legal Consultant, NBC *Today in New York* show (1995) (O.J. Simpson trial commentary)

Member, United States District Court for the Eastern District of New York Criminal Procedure Committee (1985-95); Consultant, Eastern District Advisory Group (1991-95); Reporter, Eastern District of New York Jury Task Force (1994-95)

Witness, New York State Senate Joint Legislative Hearing on Proposals to Amend Provisions of the N.Y. State Constitution and the N.Y. Criminal Procedure Law concerning Right to Indictment by Grand Jury (March 1990)

Coordinator, Eastern District Civil Litigation Fund Training Program on Prisoners' Rights and Habeas Corpus, (Apr.-May 1984)

Witness, House Judiciary Committee, Criminal Justice Subcommittee (on proposed insanity defense legislation) (May 1983)

Member, Association of the Bar of the City of New York; American Bar Association, Brooklyn Bar Association

Sample Amicus Curiae Briefs

Riley v. California, 134 S. Ct. 2473 (2014) (warrantless searches of cell phones incident to arrest)

Virginia v. Moore, 128 S. Ct. 1598 (applicability of the search incident to arrest doctrine to arrests illegal under state law)

Atwater v. City of Lago Vista, 121 S. Ct. 1536 (2001) (constitutional limits on custodial arrests)

Knowles v. Iowa, 119 S. Ct. 484 (1998) (co-author) (search incident to arrest in automobiles)

Ricci v. Village of Arlington Heights, 116 F.3d 288 (7th Cir. 1997), *cert. dismissed as improvidently granted*, 118 S. Ct. 1404 (1998) (constitutional limitations on custodial arrest)

United States v. Ursery, 116 S. Ct. 2135 (1996) (co-author) (double jeopardy and forfeiture)

Whren v. United States, 116 S. Ct. 1769 (1996) (co-author) (pretext stops)

Nichols v. United States, 114 S. Ct. 1921 (1994) (sentence enhancement for uncounseled misdemeanor conviction)

Godinez v. Moran, 113 S. Ct. 2680 (1993) (co-author) (competency to plead guilty)

State v. Rhoades, Nos. 17521 & 18285 (Idaho Sup. Ct. 1991) (constitutionality of abolition of insanity defense)

Awards

Distinguished Alumna Award, Barnard 50th Reunion Awards (2018)

Faculty Award for Excellence in Public Service, Brooklyn Law School Public Service Awards (2018)

Distinguished Leadership Award, Japanese American Bar Association (2017)

Crain's NY Business "50 Most Powerful Women in NYC" (2017)

Community Leadership Award, Theatre of the Oppressed NYC (2015)

Honoree, Salute to Brooklyn Law School Icons (2015)

Roy C. Palmer Civil Liberties Prize Address, *Taking Liberties*, IIT Chicago-Kent College of Law (2013)

Honoree, UNITED SIKHS Sikh Summit (2013)