

**K. BABE HOWELL**  
CUNY School of Law  
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## **TEACHING EXPERIENCE**

### **CUNY SCHOOL OF LAW**

*Professor of Law.*

July 2009- Present

Teach Criminal Law, Criminal Procedure I and II, Criminal Trial Advocacy, Lawyering, Professional Responsibility, Topics in Criminal Law Seminar, Economic Justice Project Student Advocacy Project Clinic. Personnel and Budget Committee, Chair of Faculty Professional Development Committee, Moot Court Advisor, Faculty Advisor to Suspension Representation Project and Police Accountability Organization.

### **HOFSTRA SCHOOL OF LAW**

*Assistant Clinical Professor.*

2007 – 2009

Supervised and taught Criminal Justice Clinic in which students represented clients charged with misdemeanors in Nassau and Queens County. Students provided holistic representation, addressing collateral consequences and related cases as well as representing clients in court from arraignment through dismissal, trial or disposition. Designed Clinic Seminar to focus on pre-trial advocacy, ethical obligation, effective investigation and negotiation skills as well as trial advocacy and courtroom skills. Also taught Criminal Law and developed and taught two-week Comparative Criminal Law course with a focus on the Italian hybrid-criminal justice system.

### **NEW YORK UNIVERSITY SCHOOL OF LAW**

*Co-Associate Director of the Lawyering Program.*

2005 – 2007

Responsible for oversight, training, and evaluation of sixteen Lawyering professors. Designed and coordinated month-long development program to refine Lawyering curriculum, hone pedagogical skills, and prepare faculty to teach Lawyering. Provided support and feedback on teaching and critique methods to Lawyering professors.

*Acting Assistant Professor, Lawyering Program.*

June 2002 – 2007

Taught year-long first year course focusing on the scholarly study of law in use. Used simulations to introduce students to fundamentals of client representation, including: legal research and writing, interviewing, counseling, negotiation, mediation, professional responsibility, and oral argument. Teaching tools included collaborative and experiential work, interactive planning, videotaped exercises with critique, and extensive revision and feedback on written work. Created an interviewing and counseling exercise based on a not-for-profit foundation's homeowner initiative, and a transactional negotiation exercise based on a licensing agreement for an AIDS drug.

### **HARLEM EDUCATIONAL ACTIVITIES FUND**

*Spring 2005 and 2006*

*Volunteer.* Designed, coordinated and ran a six-week program in mediation and adjudication for high school students from Harlem. Coordinated NYU Lawyering faculty volunteers to train NYU

Law Students to teach Harlem high school students to conduct a client interview, counsel the client, represent the client in a mediation, draft pre-mediation submission and a motion to dismiss, and argue the motion to dismiss before a Federal Judge or his clerks.

**THE LEGAL AID SOCIETY**

1998 – 1999

*Trial Trainer, Criminal Defense Division.* Trained second-year lawyers in felony and trial practice. Conducted weekly training sessions, including simulations, lectures and interactive workshops to develop trial advocacy skills, ability to employ the rules of evidence, and criminal procedure. Reviewed written submissions, trial and hearing strategies, and case preparation plans. Supervised lawyers during hearings and trials. Trained junior attorneys as co-counsel on felony cases.

**OTHER EXPERIENCE**

**THE LEGAL AID SOCIETY**

1994—1996, 1997 – 2002

*Staff Attorney, Criminal Defense Division.* Represented indigent criminal defendants in felony and misdemeanor cases from arraignment through hearings, disposition or trial. Won acquittals in nine of twelve felony trials, and supervised junior attorneys in a string of acquittals on misdemeanor trials.

**NEIGHBORHOOD DEFENDER SERVICE OF HARLEM**

1996 – 1997

*Staff Attorney.* Represented indigent criminal defendants and juveniles in community-based criminal defense office using a team model including attorneys and support staff.

**CHIEF JUDGE GENE CARTER, U.S. DISTRICT COURT, MAINE**

1993 – 1994

*Law Clerk.*

**EISNER, LEVY, POLLACK & RATNER**

1991 – 1993

*Student Associate.* Worked in areas of labor law and employment discrimination doing legal research and writing for 10-20 hours per week during second and third year of law school.

**COUDERT BROTHERS**

1992

*Summer Associate.* Conducted research and writing for litigation, real estate, tax and corporate departments.

**WEST VIRGINIA OFFICE OF THE ATTORNEY GENERAL**

1990

*Summer Intern, Civil Rights Division.* Researched and wrote briefs for West Virginia Circuit Court and Supreme Court of Appeals in race and sex discrimination case. Drafted Final Decision for the Human Rights Commission in retaliatory discharge case. Revised the Cabell County School Board's AIDS policy.

**THE LEGAL AID SOCIETY**

1987 – 1989

*Paralegal, Civil Division, Brooklyn Trial Office.* Represented clients in administrative hearings and appeals process in connection with public assistance, Medicaid, and unemployment benefits. Provided advice and assistance in Brooklyn Housing Court to tenants facing eviction through the Family Anti-Eviction Pilot Project.

## **EDUCATION**

**NEW YORK UNIVERSITY SCHOOL OF LAW, J.D., *magna cum laude*, 1993.**

Root Tilden Snow Scholar  
Order of the Coif  
Review of Law and Social Change, Staff Editor  
BALSA, member

**HARVARD AND RADCLIFFE COLLEGES, B.A. in Sociology, *magna cum laude*, 1986.**

## **PROFESSIONAL ASSOCIATIONS**

New York City Bar Association,  
Criminal Law Committee, Chair of Amicus Sub-Committee 2011 – January 2014.  
Criminal Justice Operations Committee, 2014 – present.

Communities United for Police Reform, Research Working Group, 2011 – present.

Advisory Council for Remedial Phase of *Floyd v. City of New York*, 2013.

National Association of Criminal Defense Lawyers, 2009 – 2014.

## **PUBLICATIONS AND WORKS IN PROGRESS**

K. Babe Howell, *Indicting Mass Indictments*, work in progress.

K. Babe Howell, *Framing Broken Windows: Misdemeanor Defense Advocacy*, work in progress.

K. Babe Howell, *The Costs of “Broken Windows” Policing: Twenty Years and Counting*, 37 *Cardozo L. Rev.* 1059 (2016).

K. Babe Howell, *Gang Policing: The Post-Stop-and-Frisk Justification for Profile-Based Policing*, 5 *Denver Criminal L. Rev.* 1 (2015).

K. Babe Howell, *Prosecutorial Discretion The Duty to Seek Justice in an Overburdened Criminal Justice System*, 27 *Georgetown J. L. Ethics* 285 (2014).

K. Babe Howell, *Fear Itself: The Impact of Allegations of Gang Association on Pre-Trial Detention*, 23 *St. Thom. L. Rev.* 620 (2011).

K. Babe Howell, *Gang Databases: Labeled for Life*, *The Champion*, 28 (July/August 2011).

K. Babe Howell, *From Page to Practice and Back Again: Broken Windows Policing and the Real Costs to Law-Abiding New Yorkers of Color*, 34 *N.Y.U. Rev. L. Soc. Change* 439 (2010).

K. Babe Howell, *Broken Lives From Broken Windows: The Hidden Costs of Aggressive Order*

*Maintenance Policing*, 33 N.Y.U. Rev. L. Soc. Change 271 (2009).

Jon Wool, K. Babe Howell and Lisa Yedid, *Improving Public Defense Systems: Good Practices for Federal Panel Attorney Programs*, Vera Institute of Justice, June 2003. Available at [www.vera.org/publications/publications\\_5.asp?publication\\_id=201](http://www.vera.org/publications/publications_5.asp?publication_id=201).

### AMICUS BRIEFS

People v. Johnson, APL-2013-00034, Court of Appeals, Jan. 2, 2014. (Use of gang allegations to justify dispersal order and arrest under the New York disorderly conduct statute).

People v. Thomas, APL-2012-00306, Court of Appeals, Nov. 21, 2013. (Coercive interrogation techniques and denial of expert on false confessions).

Mental Hygiene Legal Services v. Schneiderman, 11-1539-CV, Second Circuit, October 31, 2011. (Challenging mandatory pretrial detention provisions of SOMTA).

### PRESENTATIONS

*Framing Broken Windows: Framing, Ethical Blindness, Heuristics and Misdemeanor Advocacy*, Law and Society Annual Meeting, New Orleans, Louisiana, June 5, 2016.

Moderator, *Structural Racism and Family Defense*, CUNY Law Review Symposium, CUNY School of Law, April 8, 2016.

CLE Training, Gang Allegations and the Defense Function, CUNY School of Law/CLRN, April 28, 2015.

*Prosecutors as Potential Agents for Change in a Broken System*, presented at *Public Forum: The Whole System is Guilty*, sponsored by Police Reform Organizing Project, Brooklyn, NY March 12, 2015.

*Gang Policing: The Post-Stop-and-Frisk Justification for Profile-Based Policing*, presented at Touro Law Center Faculty Forum, February 25, 2015, East Islip, New York.

Panelist on *Unlocking Potential: Young People of Color and the NYPD*, Sponsored by Teach for American and ROADS Charter High School, Scholastic Auditorium, New York, NY, December 11, 2014.

Symposium Presenter and Roundtable Participant, *The Underbelly of the Beast: Misdemeanor Practice in the Error of Broken Windows and Saturation Policing*, Benjamin N. Cardozo School of Law, New York, NY December 4, 2014.

Panelist on Profiling, *The NYPD's Operation Crew Cut: The New Justification for Profile-based Policing*, Northeast People of Color Conference, November 15, 2014.

CLE Training, Gang Allegations and the Defense Function, The Legal Aid Society, Bronx

Criminal Practice, May 15, 2014.

Panelist on *FOILING the NYPD*, presented at *FOIA/FOIL: A Practical Guide to an Impractical System*, National Lawyer's Guild, CUNY School of Law, New York, April 8, 2014.

*Gang Policing: The Post-Stop-and-Frisk, Post-Racial Narrative Justifying Over-policing of Youth of Color*, Panelist on a panel on The Dangers of Discretion in the Criminal System, Critical Race Theory Conference, Yale Law School, New Haven, April 5, 2014.

Panelist on *False Confessions* following screening of Central Park Five, CUNY School of Law, March 19, 2014.

*Prosecutorial Discretion, The Duty to Seek Justice, and Racial Disparities in Lower Criminal Courts*, Georgetown Journal of Legal Ethics Symposium on Race and Access to the Justice System, Georgetown University Law Center, Washington, DC, March 18, 2014.

*Out of the Frying Pan and Into the Fire? The NYPD's Focus on Gang Intelligence as an Alternative to Stop-and-Frisk Policing*, New England Regional Junior Faculty Scholarship Workshop, New England School of Law, February 7, 2014.

*Anatomy of a Trial*, with Julie Goldscheid at CUNY Graduate School of Journalism, January 7, 2014.

*Procedural Justice, Legality and Stop and Frisk*, Critical Social/Personality Psychology and Environmental Psychology Brown Bag Lunch Series at The Graduate Center, CUNY December 4, 2013.

*Prosecutors and the Duty To Seek Justice in an Overburdened Criminal Justice System, Teaching Professional Responsibility Using Pecha Kucha Presentations*, Southeastern Association of Law Schools, Palm Beach, FL, Aug. 4, 2013.

*Legal Interpretation, Race and the Criminal Justice System*, Speaker 2013 Summer Law Institute, Legal Outreach Program, CUNY School of Law, NY, July 2, 2013.

*Prosecutorial Discretion and the Duty to Do Justice in an Overburdened Criminal Justice System*, Law and Society Conference, Boston, MA, May 30, 2013.

*Prosecutors: Serving the Police or Serving the Public?* Panelist, Police Reform Organizing Project, The LGBT Community Center, New York, NY, May 8, 2013.

*Crime After Crime*, Panelist, sponsored by Domestic Violence Coalition, CUNY School of Law, April 17, 2013.

*Police Misconduct and Civil Liability*, Moderator of Panel sponsored by the Police Accountability Organization, CUNY School of Law, April 11, 2013.

*Brooklyn Stop and Frisk Town Hall*, Presenter, Concord Baptist Church of Christ, Brooklyn, NY,

March 20, 2013.

*Prosecutorial Discretion and Racial Disparities in Policing: The Duty to Do Justice In an Overburdened Criminal Justice System*, Presentation, Faculty Scholarship Exchange, Suffolk Law School, February 14, 2013.

*The Legality of Stop and Frisk*, Panelist and Moderator. John Jay College of Criminal Justice, Daylong Conference on Stop and Frisk, October 2, 2012.

*Supreme Court Roundup: Miller v. Alabama*, Commentator. CUNY School of Law Faculty Forum, September 5, 2012.

*Prison Industrial Complex/School to Prison Pipeline*, Panelist, Brooklyn High School for Leadership and Community Service, May 31, 2012.

*Incarcerated Until Proven Guilty*, Closing Remarks, CUNY School of Law, February 23, 2012.

*The Legality of Stop and Frisk*, Panelist, CUNY School of Law, February 13, 2012.

*Making a List and Checking it Never: Gang Databases and the Creation of a Quasi-Illegal Class*, Law and Society Association Conference, San Francisco, CA. June 2011.

*Victim Offender Mediation*, Panelist. Cardozo Law School, March 17, 2011.

*Suspect Fits Description: Responses to Racial Profiling in New York City*, Moderator, CUNY School of Law, Flushing, NY, September 29, 2010.

*Fear Itself, The Impact of Gang Affiliation on Pre-Trial Detention*, Third National People of Color Legal Scholarship Conference, Seton Hall, Newark NJ. September 10, 2010.

*Student Stories as Self-Reflection*, AALS Clinical Conference, Cleveland, OH. Co-Presenter, May 2009.

*From Page to Practice, Broken Windows Policing*. Panelist at 40TH Anniversary Celebration of the N.Y.U. Review of Law and Social Change. N.Y.U., March 6, 2009.

*Youth and Violence: Promoting Healthy Alternatives*, Hofstra University. Organized and facilitated panel on youth in the criminal justice system. Hofstra Univ. February 27, 2009.

*Race and the Criminal Justice System*. Presented to Humanity in Action Scholars, Brooklyn, NY, July 2008.

*Client-Centered Counseling, Decision-Making, and Effective Assistance of Counsel*. AALS Clinical Conference, New Orleans, LA. Co-presenter. May 2007.

THE 40<sup>TH</sup> ANNIVERSARY OF LOVING V. VIRGINIA. Speaker at Diversity Week, talk sponsored by the Multi-racial Law Student Association. NYU School of Law. February 2007.

## **MEDIA APPEARANCES**

The Nation, *Footage of the Largest Gang Raid in NYPD History Reveals the Agency's Military-Style Tactics*, Sept. 1, 2016.

NPR All Things Considered, *More Than 100 Arrested in the Largest Gang Takedown in NYC History*, April 27, 2016.

Aljazeera America, *Interviewed on Obstacles to Obtaining Grand Jury Indictments in Police Force Cases*, December 3, 2014.

KFAI, *Professor Discusses the Hidden Costs of Broken Windows Policing*, August 20, 2014.

NY1, *Inside City Hall, Roundtable on Policing Under the De Blasio Administration*, April 18, 2014.

Aljazeera America, *Interviewed on decision in Floyd v. NYPD*, Aug. 12, 2013.

NY1, *The Call, Invited Commentator on the relation between Stop and Frisk and Shootings*, August 3, 2012.

Today's Verdict, *Harassment and the Law*, September 2011. Available at: <http://www.bronxnet.org/tv/bronxlegal/viewvideo/855/todays-verdict/todays-verdict--sept-6-2011>

## **HONORS**

CUNY BLSA Faculty Honoree, 2011, 2016.

PILA Faculty Honoree, Spring 2014.

Lawyer's of Color, *50 Under 50 List of minority law professors making an impact in legal education*. Spring 2014.