

ADAM HARRIS KURLAND
Professor of Law
Howard University School of Law
Washington, DC 20008
(202) 806-8063
akurland@law.howard.edu

Faculty member since 1989, full professor with tenure since 1994

Professor Kurland was an Assistant United States Attorney in the Eastern District of California from 1985-1987

Received his undergraduate degree from UCLA in 1978 (B.A. History, Summa Cum Laude, Phi Beta Kappa) and JD degree from UCLA in 1981, where he served as Articles Editor of Volume 28 UCLA Law Review

Professor Kurland teaches Criminal Law, Evidence, Federal Criminal Law, Advanced Criminal Procedure, Federal Criminal Civil Rights Law, and other advanced criminal law seminars. His main area of scholarship interest involves Federal Criminal Law and Procedure and Federal Criminal Jurisdiction

He has appeared numerous times on television and radio as a legal commentator; has given presentations before the American Bar Association and the CATO Institute, and has testified before U.S. Senate Committees, and the U.S. Civil Rights Commission.

*Professor Kurland is a member of the D.C. Circuit Federal CJA Appellate Panel and litigates federal criminal appeals in the federal appellate courts throughout the United States, and in 2008 served as co-counsel of record in a complex federal RICO prosecution in the U.S. District Court for the District of Maryland (see **United States v. Gardner**, 417 F.Supp. 2d 703(D. Md. 2006) (some murder conspiracy counts dismissed on multiplicity grounds). As a federal prosecutor, he prevailed in all of his appellate arguments, which included the successful reinstatement of a guilty verdict after the trial court granted a post-verdict judgment of acquittal. As a defense appellate lawyer, he has had a perjury conviction reversed at the Fourth Circuit (**United States v. Rybicki**, 60 F.3d 826 (4th Cir.1995)(unpublished)), a drug conspiracy conviction reversed at the DC Circuit (**United States v. Glover**, 736 F.3d 509 (DC Cir. 2013)), and also has won several sentencing remands at the DC Circuit (see,e.g., **United States v. Davis**, 863 F.3d 894 (DC Cir. 2017); **United States v. Delaney**, 651 F.3d 15 (DC Cir. 2011)). He has also litigated high profile appeals, including representing former DC Mayor Marion Barry (see **In re Barry**, 946 F.2d 913 (DC Cir. 1991)). He is licensed to practice in California, the District of Columbia, the United States Courts of Appeals for the Fourth, Ninth, and D.C. Circuits, and the U.S. District Court for the District of Maryland. He has been an Adjunct Professor at Catholic University School of Law, a Guest Professor at Wake Forest University School of Law, and has taught in the Howard University South Africa program at the University of the Western Cape in Cape Town, South Africa.*

EDUCATION

University of California, Los Angeles
BA History 1978, Phi Beta Kappa, Summa Cum Laude

University of California, Los Angeles JD, 1981
Top 12%; Article Editor Volume 28 UCLA Law Review

BAR ADMISSION

California, District of Columbia, Federal District Court of Maryland, United States Court of Appeals for DC Circuit, Fourth Circuit, Ninth Circuit

EMPLOYMENT

Law Clerk
United States Court of Appeals for the Ninth Circuit
Office of Staff Attorneys
San Francisco, CA 1981-82

Associate, Mitchell, Silberberg and Knupp
Los Angeles, CA 1982-84

Associate, Pachulski, Stang and Ziehl
Los Angeles, CA 1984-85

Assistant United States Attorney
Eastern District of California
Criminal Division
United States Department of Justice
Fresno, CA 1985-1987

Visiting Assistant Professor
IIT Chicago-Kent College of Law
Chicago, Ill 1987-1989

Professor of Law
Howard University School of Law
Washington, DC
Full time faculty since 1989
Full Professor with Tenure 1994-present

Publications

Books

SUCCESSIVE CRIMINAL PROSECUTIONS: THE DUAL SOVEREIGNTY EXCEPTION TO DOUBLE JEOPARDY IN STATE AND FEDERAL COURTS (2001)

THE HERITAGE GUIDE TO THE CONSTITUTION (Forte & Spalding 2d ed. 2014)(contributing author, 23rd amendment)

FEDERAL CRIMINAL CIVIL RIGHTS LAW: CASES AND MATERIALS (early stages of development, possible publication date 2021)

Law Review Articles

Police Shootings, Grand Jury Procedures in Self-Defense Cases, and Ham Sandwich Indictments: Reflections on Some Ill Considered Criminal Justice Reforms in the Aftermath of Ferguson (in progress- anticipated 2020)

Blockburger and Jurisdictional Elements, (in progress- anticipated 2020)

The Enduring Virtues of Deferential Federalism: The Federal Government's Proper Role in Prosecuting Law Enforcement Officers for Civil Rights Offenses, 70 HASTINGS L.J. (2019)

I Would Not be Convicted by a Jury of My Peers (Because the Trial Judge Erroneously Granted My Judgment of Acquittal), *Evans v. Michigan and the Future of the Pre-Verdict Judgment of Acquittal*, 47 U. TOL. L. REV. 279 (2016)

Not the Last Word, But Likely the Last Prosecution: Understanding the U.S. Department of Justice's Evaluation of Whether to Authorize a Successive Federal Prosecution in the Trayvon Martin Killing, 61 UCLA L. REV. DISC. 206 (2013)

The Travel Act at Fifty: Reflections on the Robert F. Kennedy Justice Department and Modern Federal Criminal Law Enforcement at Middle Age, 63 CATH. U. L. REV. 1 (2013)

The Prosecution of Michael Vick: Of Dogfighting, Dual Sovereignty, Depravity and "A Clockwork Orange," 21 MARQ. SPORTS L. REV. 465 (2011)

Court's in Session: A Law Professor Returns to the Majestic Chaos of a Criminal Jury Trial, 52 HOW. L.J. 357 (2009)

To "Aid, Abet, Counsel, Command, Induce, or Procure the Commission of an Offense;" A Critique of Federal Aiding and Abetting Principles, 57 S. CAR. L. REV. 85 (2005)

Is There a Constitutional Right to be Represented? The Case of the District of Columbia, 48 AM. U. L. REV. 651-58, 690-91, 98-99, 708-09 (1999) (symposium participant and contributor)

First Principles of American Federalism and the Nature of Federal Criminal Jurisdiction, 45 EMORY L.J. 1 (1996)

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Providing a Federal Criminal Defendant With a Unilateral Right to a Bench Trial: A Renewed Call to Amend Federal Rule of Criminal Procedure 23(a), 26 U.C. DAVIS L. REV. 309 (1993)

Partisan Rhetoric, Constitutional Reality, and Political Responsibility: The Troubling Constitutional Consequences of Achieving D.C. Statehood by Simple Legislation, 60 GEO. WASH. L. REV. 475 (1993)

Symposium Editor; *The Seventh Circuit As a Criminal Law Court*; Author; *Foreword; The Role of A Federal Appellate Court in the Nineties*, 67 CHI-KENT L. REV. 3 (1991)

Prosecuting Ol' Man River: The Fifth Amendment, The Good Faith Defense, and the Non-Testifying Defendant, 51 U. PITT. L. REV. 841 (1990)

The Guarantee Clause as a Basis for Federal Prosecution of State and Local Officials, 62 S. CAL. L. REV. 367 (1989)

A Debtor's Prism: Immunity for Bankrupts Under the Bankruptcy Reform Act of 1978, 55 AM. BANKR. L.J. 177 (1981)

Dedication: Professor Maxwell, 28 UCLA L. REV. 166 (1981)

Selected Other Articles and Publications

Counsel of Record; United States Supreme Court, Brief of *Amicus Curiae* Howard University School of Law Thurgood Marshall Civil Rights Center in Support of Neither Party, *Gamble v. United States*, No. 17-646, https://www.supremecourt.gov/DocketPDF/17/17-646/62989/20/20180907101706930_17-646sacHowardUniversitySchoolOfLaw.pdf

Reasonable Doubts in the Casey Anthony Trial? NAT. L.J., <http://www.nlj.com>, Jul. 26, 2011

Tinkering With the Federal Rules of Evidence, 2000 AALS Evid. Sec. Newsletter (Fall 2000)

Lurking Pitfalls of Successive Prosecutions, 14 CRIM. JUST 4 (Winter 2000)

Dead Wrong (film review of "Double Jeopardy"), LEGAL TIMES, Oct. 11, 1999 at 62

Floor Vote Reserved for States, LEGAL TIMES, Apr. 18, 1999 at 21

Bankruptcy Fraud Prosecutions in the Wake of "Operation Total Disclosure," 1 Reasonable Doubt 1 (D.C. Bar Assn. N^oletter Winter 1996)