

**JOSEPHINE ROSS**  
HOWARD UNIVERSITY SCHOOL OF LAW  
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Washington DC 20008  
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### **CURRENT POSITION**

**Howard University School of Law**, Washington DC, (Associate Professor of Law, 2005 to 2014.) Professor of Law, 2014 - present.

Primary Courses: Criminal Procedure, an Externship (criminal defense focus), Evidence, and a Seminar (“The Wire” or Criminal Justice Enforcement).

Prior Courses: Criminal Justice Clinic (live clinic); Criminal Law (first year course).

### **LAW REVIEW PUBLICATIONS**

*What the #MeToo Campaign Teaches About Stop and Frisk*, 54 *IDAHO LAW REVIEW* \_ (PENDING 2018).

*Warning: Stop and Frisk May Be Hazardous To Your Health*, 25 *WILLIAM & MARY BILL OF RIGHTS JOURNAL* 689 (2016).

*Cops on Trial: Did Fourth Amendment Case Law Help George Zimmerman’s Claim of Self-Defense?*, 40 *SEATTLE UNIVERSITY LAW REVIEW* 1 (2016). (A shorter version was published in the Search and Seizure Law Report in 2017.)

*Teaching Scholarship Through a Seminar on The Wire*, 64 *JOURNAL OF LEGAL EDUCATION* 123 (2014).

*Can Social Science Defeat a Legal Fiction?: Challenging Unlawful Police Stops Under the Fourth Amendment*, 18 *WASHINGTON & LEE JOURNAL OF CIVIL RIGHTS & SOCIAL JUSTICE* 315 (2012).

*Blaming the Victim: ‘Consent’ Within the Fourth Amendment and Rape Law*, 26 *HARVARD JOURNAL OF RACIAL AND ETHNIC JUSTICE* 1 (2010).

*From Slavery to Prison in Rinkitink in Oz*, 20 *SOUTHERN CALIFORNIA INTERDISCIPLINARY LAW JOURNAL* 107 (2010).

*What’s Reliability Got To Do With The Confrontation Clause After Crawford?* 14 *WIDENER LAW REVIEW* 383 (2009).

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*Still In Limbo: The Continuing Failed Response To Katrina*, 51 HOWARD LAW JOURNAL 565 (2008).

*Crawford's Short-Lived Revolution: How Davis v. Washington Reins In Crawford's Reach*, 83 NORTH DAKOTA LAW JOURNAL 387 (2007).

*After Crawford Double-Speak: "Testimony" Does Not Mean Testimony And "Witness" Does Not Mean Witness*, 97 JOURNAL OF CRIMINAL LAW & CRIMINOLOGY 147 (2006).

*"He Looks Guilty": Reforming Good Character Evidence to Undercut the Presumption Of Guilt*, 65 PITTSBURGH LAW REVIEW 227 (2004).

*The Fault Lines of Domestic Violence Enforcement*, 9 CARDOZO WOMEN'S LAW JOURNAL 507 (2003).

*The Sexualization Of Difference: A Comparison of Mixed-Race and Same-Gender Marriage*, 37 HARVARD CIVIL RIGHTS-CIVIL LIBERTIES LAW REVIEW 255 (2002).

*Sex, Marriage and History: Analyzing the Continued Resistance To Same-Sex Marriage*, 55 SOUTHERN METHODIST LAW REV. 1657 (2002).

*Riddle For Our Times: The Continued Refusal To Apply The Miscegenation Analogy To Same-Sex Marriage*, 54 RUTGERS LAW REV. 999 (2002).

*Autonomy Versus A Client's Best Interest: The Defense Lawyer's Dilemma When Mentally Ill Clients Seek to Control Their Defense*, 35 AMERICAN CRIMINAL LAW REVIEW 1343 (1998).

**OTHER PUBLICATIONS**

*Cops on Trial: Did Fourth Amendment Case Law Help George Zimmerman's Claim of Self-Defense?*, 44 Search & Seizure Law Report 69 (2017).

*The Law Clerk's Bombshell*, (book chapter) in OUT AND ABOUT: THE LGBT EXPERIENCE IN THE PROFESSION, ABA PUBLICATION (2015).

*When Murder Alone Is Not Enough: Forfeiture of the Confrontation Clause After Giles*, CRIMINAL JUSTICE JOURNAL Vol. 24:34 (Spring 2009).

**ACADEMIC PRESENTATION**

- "Terry v. Ohio at Fifty" panel at the University of Idaho, April 2018.
- "Terry at Fifty: On the Books and On the Ground" panel at the AALS Annual Meeting San Diego, January 2018.
- "Stop-and-Frisk" panel on policing at CrimFest!, Washington DC, June 2017
- "Tacking Into the Wind: Incorporating Social Upheaval into Clinics and Doctrinal Teaching as the Country Becomes Increasingly Polarized," AALS Clinical Conference, Denver, May 2017.
- "Ending Mass Incarceration, Police Brutality, and Rebuilding Trust" panel, Congressional Black Caucus Annual Legislative Conference, Washington DC, September 2016.
- "Exercising Constitutional Rights Can Be Dangerous: The U.S. Crisis in Policing," University of Saskatchewan, Saskatoon, Canada, February 2016.
- "Stop & Search: A Feminist Critique of Policing in the United States," Lancaster University, England, November 2015.
- "Stop & Search: Drawing the Line Between Submission and Consent, Birkbeck University School of London, England, October 2015.
- "Is there Room for Racial Justice, Truth and Equality in the New Normal?" AALS Clinical Conference, Rancho Mirage, May 2015.
- "Is Stop & Frisk a Feminist Issue?" Association for the Study of Law, Culture and the Humanities, Georgetown University Law School, March 2015.
- "Know Your Rights Because It Could Save Your Life," National Bar Association panel at Howard University School of Law, January 2015.
- "Policing Gender From Stonewall to the Present," AALS Annual Meeting, Washington DC, January 2015.
- "Walking While Trans," CrimFest! at Rutgers University, Newark, July 2014.
- "Managing Student Challenges in the Classroom and Beyond," Plenary at AALS Workshop for New Law Teachers, Washington DC, June 2014.

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"How the Supreme Court's Acceptance of Aggressive Policing Affects Cases Where Police Are on Trial," First Criminal Justice Institute Roundtable, American University Washington College of Law, March 2014.

"Stop & Frisk Viewed Through Derrick Bell's Critical Race Perspective," University of Pittsburgh Law School, March 2014.

"The Supreme Court's Hand in the George Zimmerman Trial," Association for the Study of Law, Culture and the Humanities, University of Virginia Law School, March 2014.

"Race & Gender Disparities in the D.C. Criminal Justice System," UDC David Clark School of Law, November 2013.

"The Supreme Court's Invisible Hand in the George Zimmerman Trial," ABA Conference, D.C., October 2013.

"Teaching The Wire: Fiction as Pedagogical Tool," SEALS Conference, FL, August 2013.

"Judicial Tolerance of Racialized Suspicion," Trayvon Martin Anniversary Presentation, Howard University School of Law, March 2013.

"Spread 'em!" Queer, Feminist and Critical Race Theories of Stop & Frisk," Mid-Atlantic People of Color Legal Scholarship Conference, Univ. of Pennsylvania Law School, Philadelphia, January 2013.

"Advancing Shared Social Justice Goals Through Community-Based Teaching, Learning and Service Programs," SALT Teaching Conference, Baltimore, October 2012.

"Out in the Workplace" Career panel, Howard University School of Law, October 2012.

"Rainbow Signs: Reading Derrick Bell Today," Building the Arc of Justice: The Legal Life and Thought of Derrick Bell Conference, Western New England School of Law, September 2012.

"Critical Legal Theories of Stop & Frisk," Albany Law School, Albany, September 2012.

"Exploring the Role of Clinical Scholarship in Advancing Social Justice," AALS Southern Clinical Conference, University of Tennessee College of Law, Knoxville, March 2012.

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- "Consent-to-Search and Dignity" (also moderated panel called Criminal Law: Searches and Privacy), Law & Society Association, San Francisco, June 2011.
- "The Consent Exception to Search and Seizure, Measuring the Reasonable Person," Michigan State University College of Law, April 2011.
- "Masculinity and the Gates Arrest: Two Professors Share Their Experiences," The Law and Society Association, Chicago, May 2010.
- "Racial Structure and Culture in Lawyering," AALS Clinical Conference, Baltimore, May 2010.
- "Can a good person become a prosecutor?" (Moderator), [online at: <http://www.c-spanvideo.org/program/292778-1>] Howard University School of Law, March 2010.
- "The Meaning of the Right to Marry," (Panel with Howard Divinity School) Howard University School of Law, March 2010.
- "From Slavery to Imprisonment in *Rinkitink in OZ*," Albany Law School, Albany, November 2009.
- "Race, Class and Injustice from Arrest through Post-Conviction," LatCrit Conference, Washington DC, October 2009.
- "How Feminist Jurisprudence Sheds Light on Power and Inequality In 4th Amendment Consent Doctrine," The Law and Society Association, Denver, May 2009.
- "Why Criminal Defendants Are Told They Asked For It," Association for the Study of Law, Culture and Humanities, Suffolk Law School, April 2009.
- "Submission is not Consent: Unifying Search and Seizure with the Law of Sexual Assault," Feminist Theory Conference, University of Baltimore School of Law, March 2009.
- "Navigating the Academy," AALS Workshop for New Law School Clinical Teachers presentation with Professor Katherine Hessler, Washington DC, June 2008.
- "The Administration of Justice in New Orleans," University of the District of Columbia David A Clarke School of Law, February 2008.

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"Still In Limbo: The Continuing Failed Response To Katrina," Wiley A. Branton-Howard Law Journal Symposium, Howard School of Law, October 2007.

"What's Reliability Got to Do with Confrontation Clause?" Widener Law School, April 2007.

"The FEMA Mission Post-Katrina: White Trailers, Black Evacuees, and White, Black & Gray Lies," The Association for the Study of Law, Culture and the Humanities, Georgetown Law School, March 2007.

"How the Supreme Court Confuses the Right to Confront One's Accuser with Protections from Overly Zealous Policing," presentation to the HUSL faculty, October 2006.

Facilitator of Criminal Law Teaching Roundtable Discussion, Teaching from the Left, Harvard Law School, March 2006.

"How The Recent Supreme Court Case Of *Crawford* Will Impact Domestic Violence Prosecutions," AALS Clinical Conference, May 2005.

"Silence and Guilt in Capturing the Friedmans," The Association for the Study of Law, Culture and the Humanities, March 2005.

"Good & Bad Character, Exposing the Myth," Faculty Symposium, MSU, October 2004.

"Defense of Marriage Acts around the United States," MSU, October 2004.

"Exposing the Myth of Character Evidence in Criminal Trials," New England Clinicians event, Suffolk Law School, December 2003.

"From Loving to Goodridge," Keynote speech at Harvard Law School for ABA conference on Diversity in Law and Education, April 2003.

"A discussion of historical, legal, and legislative developments in the movement for same-sex marriage," panel presentation at Northeastern University School of Law, April 2002.

"Some Common Themes in the Marriage Cases," guest speaker for class producing a symposium, Golden Gate Law School, April 2002.

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Testimony against H.4840, a constitutional amendment that would ban same-sex marriage and domestic partnership benefits, before a joint legislative committee on behalf of the American Civil Liberties Union of Massachusetts, April 2002.

“Sexualization of Gay Identity,” LatCrit Conference at University of Florida Law School, May 2001.

“Current Trends in Sexual Orientation in the Law,” Convention Celebrating 150 Year Anniversary Of The First Women’s Rights Convention, October 2000.

“Domestic Violence Victims as Criminal Defendants,” panel at Northeastern University School of Law, September 2000.

“Representing Clients With Borderline Mental Illnesses,” New England Clinicians, Northeastern University School of Law, October 1999.

MCLE New Lawyer Training for Criminal Defense Attorneys, 1988-2003.

**PRIOR LAW TEACHING EXPERIENCE**

**Michigan State University College of Law**, E. Lansing, MI. Visiting Professor of Law, 2004-2005. Courses: Criminal Law, Law & Gender, and Professional Responsibility.

**Boston College Law School**, Newton, MA. Long-term Visitor 1993-2004. Primary responsibility was the Criminal Justice Clinic. Created a seminar on Sexual Orientation and the Law in 1998.

**OTHER LEGAL EMPLOYMENT**

Gay And Lesbian Advocates And Defenders, Executive Director, 1992-1993.

Committee for Public Counsel Services, Trial Attorney and Supervisor, 1985-1992. Public defender in Worcester, Massachusetts.

New Hampshire Superior Court, Law Clerk, 1984-1985.

Silvergate, Gertner, Baker and Fine, Summer Associate and third year Associate, 1983-1984.

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**EDUCATION**

Boston University School of Law, Boston, Mass. J.D.  
Oberlin College, Oberlin, Ohio. B.A.  
University of Edinburgh, Scotland. Junior Year.

**LICENSES**

District of Columbia (bar license).  
Supreme Judicial Court of Massachusetts (bar license).  
United States District Court, District of Massachusetts (bar license).

**SELECTED SERVICE**

AALS, Co-Chair of the Clinical Scholarship Committee (including organizing AALS Works-In-Progress at yearly conference 2013-2017).  
American Civil Liberties Union of Massachusetts, Board of Directors (1992 to 2004).  
Clinical Law Review Selection Committee Co-Chair (20015 to 2016).  
D.C. Law Students in Court, Board of Directors (2008 to 2010).  
Faculty Advisor, OUTLAW, Howard University School of Law (2005 to present).  
Georgetown University Institutional Review Board, Prisoner Advocate (2012 to 2013).  
"Know Your Rights" Trainings, train and lead Howard law students to teach adults and/or youth their 4<sup>th</sup> and 5<sup>th</sup> Amendment rights. (by invitation).  
Massachusetts Lesbian and Gay Bar Association (MLGBA), Founding Board Member (1985-1994).  
New England Innocence Project, Advisory committee (2000 to 2004).  
Student Trips, (Created trips for Howard law students to perform pro bono legal work during Spring Break)(New Orleans 2007-2010 and Chicago 2011).  
Youth Court [a diversion program] Worked with law students teaching "How to be a "Peer Juror" and "Know Your Rights" in D.C. Superior Court on alternate Saturday mornings. (2012 to 2014).

**TRAVEL AND FELLOWSHIPS**

Birkbeck College School of Law, University of London (Visiting Fellow, Fall 2015).  
University of the Western Cape, Cape Town, South Africa (Taught International Criminal Law, Summer 2013).