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Bio-Sketch

Dr. Leona D. Jochnowitz, Esq./PhD is the book and contributing review editor of *Criminal Law Bulletin*. She earned her Ph.D. and M.A. from the School of Criminal Justice at the University at Albany. She graduated from St. John's University School of Law and is a member of the New York State and Federal Bars. Her field of research is the science of jury decision-making, wrongful convictions, courts and law, and death penalty. Her dissertation research is entitled Receptivity of Capital Jurors to Mitigating Factors of Mental Illness, Intellectual Disability, and Situational Impairments in Death Penalty Decisions: The Capital Trial Analyzed as a Mitigating "Weight and Counterweight" to Premature Decisions and Pro-Death Bias. She has been a regular contributor of articles, book reviews, and peer editing to CLB and other journals. Her research agenda includes research on Intellectual Disability, Sentencing, race and gender, Drug sentencing. At Hartwick College, where there is a growing Criminal Justice major, she designed a qualitative methods course in wrongful convictions, using original data from the Innocence project and an interdisciplinary course on Introduction to Law. She is an experienced oral advocate, and she argued many cases successfully for clients in appellate courts.

Professional and Criminal Justice Experience:

Assistant Visiting Professor, Department of Sociology and Criminal Justice, Hartwick College, Oneonta, NY, August, 2015 to current. Courses: Qualitative Research and Wrongful Convictions; Criminology, Policing, (Community and Zero Tolerance Policing), Corrections, Juvenile Delinquency, Death Penalty Seminar, Social Deviance, and Introduction to Criminal Justice.

PhD, Criminal Justice, University at Albany; December, 2014; Dissertation Title: *Receptivity of Capital Jurors to Mitigating Factors of Mental Illness, Intellectual Disability, and Situational Impairments in Death Penalty Decisions: The Capital Trial Analyzed as a Mitigating "Weight and Counterweight" to Premature Decisions and Pro-Death Bias*; http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2568455

Book Review and Contributing Editor: Thomson Reuters Criminal Law Bulletin 8/21/13 to current.

February 14, 2011- July 11, 2012, 1.5 yrs: Instructor, Criminal Justice, Bryant and Stratton College; 1250 Central Ave. Albany NY 12205. Courses: Criminal Procedure; Criminal Law; Criminal Courts; Corrections; Juvenile Justice; Intro to Criminal Justice.

Academic Education

PhD (2014); MA (2003); University at Albany, School of Criminal Justice

JD; St. John's University School of Law 1981; rank: 92/313 (29%); Jessup International Moot Court; Moot Court Senior Bar; Deans List 1978-1979, 1980-1981.
MA; University of Pennsylvania 1977 (Slavic Languages and Literature)

BA; SUNY Stony Brook 1969 (Russian Language and Area Studies)

Professional Associations

Admitted NYS Bar and various Federal Bars, since 1982; registration # 1770387

Member, NYS Defenders Association, since 2002

Member, American Society of Criminology (ASC), since 2004; Academy of Criminal Justice Sciences (ACJS), Pending

Capital District Bankruptcy Bar Association; Transportation Research Board

Recent Publications

Whether the Bright-line Cut-off Rule and the Adversarial Expert Evaluation of Adaptive Functioning Exacerbates Capital Juror Comprehension of the Intellectual Disability.
(Submitted for peer review 8/2016)

Does Mental-Health Mitigating Evidence of Personality Disorders Make a Difference to Jurors in Capital-Sentencing Decisions? *Criminal Law Bulletin*, in *Criminal Law Bulletin* Volume Number: 50 no 2. Death Penalty Symposium

Book Reviews Authored:

The Birth of American Law: An Italian Philosopher and the American Revolution. John Bessler; *Criminal Law Bulletin*; Vol 51-1, Dec 2014

America's Experiment with Capital Punishment: Reflections on the Past, Present and Future of the Ultimate Penal Sanction, Third Edition. Edited by James R. Acker, Robert M. Bohm, and Charles S. Lanier. Carolina Academic Press, 2014, Durham, North Carolina. *Criminal Law Bulletin*; Vol 51-4; June 2015.

Examining Wrongful Convictions: Stepping Back, Moving Forward. Edited by: Allison D. Redlich, James R. Acker, Robert J. Norris, Catherine L. Bonventre. Carolina Academic Press, 2014; Vol 52-2; *Criminal Law Bulletin*, February 2016

James R. Acker, *Questioning Capital Punishment: Law, Policy, and Practice* (Routledge 2014). By the class at Hartwick College, Oneonta, NY, Death Penalty Controversy; J-Term 2016; (SOI-250-01); Leona D. Jochnowitz, JD/PhD; Brittany Tait, student editor. Volume 52-4; *Criminal Law Bulletin*, July 2016. The course instructor is Dr. Leona D. Jochnowitz, JD/PhD, Visiting Assistant Professor, Department of Sociology/ Criminal Justice, Hartwick College, who is the CLB Book Review Editor.

Peggy M. Tobolowsky. *Excluding Intellectually Disabled Offenders From Execution. The Continuing Journey to Implement Atkins*: Carolina Academic Press, 2014, Durham, North Carolina. ISBN: 978-1-61163-563-8

Michael Chafetz. *Intellectual Disability. Civil and Criminal Forensic Issues*: Oxford University Press, 2015. ISBN-13: 9780199998111
Book Review Criminal Law Bulletin 52-6 (2016)

Austin Sarat and Karl Shoemaker, editors, (2011), *Who Deserves to Die: Constructing the Executable Subject*, University of Massachusetts Press. Published on line: August 14, 2012. Sage, in *Criminal Justice Review*; 37-4 December 2012; and on-line first;

Additional Teaching and Legal Experience: 2002-2013

Guest Judge; American Collegiate Moot Court Association (ACMA); at U. Albany School of Criminal Justice; <http://www.acmamootcourt.org/> Class of James Acker: November 2013-2014.

Guest Lecturer: RCRJ 399 Children, Psychology and Law, 2014 for U. Albany School of Criminal Justice; Children's understanding of court proceedings; Effects of court involvement on children; Special accommodations and influence on juror perceptions; Role of Experts in cases involving child witnesses; SKYPE Interactive session with Chuck Mitchell; on Florida Courthouse Therapy Dogs in Tallahassee.

Adjunct Professor of Criminal Justice
Sage College, Albany; Introduction to Criminal Justice 2003
Hudson Valley Community College; Criminal Law; Criminal Justice Administration; 2004

1999-2004

Assigned Counsel in Criminal Appeals for Indigents; NYS Appellate Division, Third Judicial Department. Completed four criminal appeals with a mandatory drug sentence reversal and County Court post-conviction 440 motions.

Private practice: Consumer Bankruptcy; Chapter 11 Small Business Reorganization; Education loan litigation; Real Property Tax Assessment litigation; Bankruptcy Litigation

1997-1999

New York State Office of Attorney General
Assistant Attorney General, Environmental Protection and Civil Rights Bureaus. Public Advocacy Litigation, Enforcement, and Defense litigation in Environmental and Human Rights matters

1985-1997

New York State Department of Transportation; Senior Attorney; Counsel's Office; Transportation, Environmental cases; Contractor Bankruptcies; Delaware and Hudson Railway Reorganization and purchase by Canadian Pacific Rail

1982-1984

Confidential Law clerk to Honorable Edward D. Hayes, U.S. Bankruptcy Court, WDNY, Rochester

Miscellaneous Research and Intern Employment

- A. NYS Office of Children and Family Services; Equal Opportunity Office, April-May 2015
- B. NYS Department of Education, Office of Labor Relations; Nov. 2014-April, 2015
- C. NYS Office of Temporary Disabilities (OTDA); Fair Hearings; process appeals from denial of Medicaid and other benefits; research various data bases. July 12, 2012-July 8, 2013
- D. New York State Office of Mental Health, Patient Characteristics Survey (March 5, 2009-September 5, 2009). Duties: Cleaning and Analyzing Survey response data by mental patients in PCS ACCESS Data base.
- E. NYS Department of Health Criminal History Record Check Unit; (2006-2007); using DCJS, DOH, and FBI Criminal History Data Base to evaluate recidivism and eligibility for employment.
- F. New York State Office of Children and Family Services, Bureau of Kinship Care/TANF and Bureau of Adult Services. (2004-2006). Publications: The Cost and Benefits of Cash and Services to Kinship Caregivers; Edwina Dorch PhD, Jeryl Mumpower PhD, Leona Jochowitz, Social Work in Public Health, Volume: 23 Issue: 6, 9/22/2008; Investigating, Enforcing and Trying Criminal Financial Exploitation cases with Elderly victims and Civil Remedies; ASC, presented November, 2007.
- G. New York State Division of Criminal Justice Services (May-September 2003). Research: Juvenile Delinquency and Maltreatment 2003; Gender, Maltreatment and Juvenile Recidivism; Best Practices-Juvenile Programs.

Other Professional Experience

1984-1985; Attorney, New York State Real Property Services; Equalization and Assessment
 1979-1982; Law Student Intern; NYS Attorney General Office, Environmental Protection
 1977-1978; Budget Analyst New York State Office of Drug Abuse Services

Reviews Edited: Criminal Law Bulletin.

Pending: Hegemonic Individualism and Subversive Stories in Capital Mitigation, Ross Kleinstuber ISBN: 9781472425591, by Inese A. Neiders, Ph.D., J.D; Karen Steele, J.D

Pending:Harris, Alexes. 2016. "A Pound of Flesh: Monetary Sanctions as a Permanent Punishment for Poor People." Dr. Gary Kowaluk, Lincoln University Department of Criminal Justice

Vol. 52-issue 1; January 2016; *Jury Decision Making: The State of the Science*; Dennis J. Devine, by Inese A. Neiders, Ph.D., J.D. and Karen Steele, J.D.

Vol 50 no 2. Anders Walker; A Wild Justice: The Death and the Resurrection of Capital Punishment in America. Evan J. Mandery. New York: W.W. Norton, 2013. Death Penalty Symposium Issue.

V. 50, Issue 3: April 1, 2014 David Scheffer's All the Missing Souls: A Personal History of the War Crimes Tribunals (Princeton and Oxford: Princeton University Press, 2012). Carla Del Ponte; Madame Prosecutor: Confrontations with Humanity's Worst Criminals and the

Culture of Impunity (New York: Other Press LLC, 2009). by Barbara Lakeberg, PhD. (April 1 2014)

V. 50, Issue 5: August 5, 2014 Jamie Fader Falling Back : Incarceration and Transitions to Adulthood among Urban Youth Rutgers University Press 2013. By Professor Jojo Liu JD, Loyola

V. 50, Issue 6: September 26, 2014; The Supreme Court and the Fourth Amendment's Exclusionary Rule; Tracey Maclin (BU Law); by Steve DeBraccio JD.

V. 51, Issue 1: 12-5-14;

V.51, Issue 2: 2-3-15; *The Politics of Law and Stability in China*. Susan Trevaskes, et al. ed. by Siyu Liu, PhD.

Vol. 51-issue 3; April, 2015; Rethinking the Reentry Paradigm by Melinda D. Schlager; reviewed by Deborah Johnson, Cameron U., Texas State.

Reviews in CLB for 2017

By Leona Jochnowitz; Caught: The Prison State and the Lockdown of American Politics; Marie Gottschalk (2015); Princeton U. Press; ISBN: 9780691164052

By Inese Neiders and Karen Steel; Hegemonic Individualism; Ross Kleinstuber; (2014); 9781472425591

By Gary Kowaluk; Harris, Alexes. (2016). A Pound of Flesh: Monetary Sanctions as a Punishment for the Poor. New York: Russell Sage. (American Sociological Association's Rose Monograph Series).

By Leona Jochnowitz; Acker, J. R. (2016). *Lawlemmas: In Search of Principled Choices in Law, Justice, and Life*. Durham, NC: Carolina Academic Press. ISBN -13: 978-1-61163-731-1

Articles published

1. Missed or Foregone Mitigation: Analyzing Claimed Error in Missouri Capital Clemency Cases. Criminal Law Bulletin, Vol. 46(3), May 2010; also at: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1651908 ; [Comprehensive exam defense; ASC St. Louis 2008]
2. Public Access to State Clemency Petitions. 44 (2) Criminal Law Bulletin (April-May 2008)
3. Missed Mitigation: Counsel's Evolving Duty to Assess and Present Mitigation at Death Penalty Sentencing. 43(1) Criminal Law Bulletin 1 (Jan.-Feb. 2007)
4. Book Review: Criminal L. Bull., volume 45, no. 6 (2009), p. 1156. *The Death of the American Trial*. Robert P. Burns. 2009.
5. Book Review: Criminal Law Bulletin, volume 44, no. 6 (2008). *The Innocence Commission: preventing wrongful convictions and restoring the criminal justice system*. Jon B. Gould. 2008.
6. The Cost and Benefits of Cash and Services to Kinship Caregivers; Edwina Dorch PhD, Jeryl Mumpower PhD, Leona Jochnowitz, Social Work in Public Health, Volume: 23 Issue: 6, 9/22/2008

7. Introducing Evidence of Contamination and Offsetting Cost of Remediation in Determining Fair Market Value for Eminent Domain Awards, Transportation Research Record, TRB, May 1996.
8. Conference papers and Peer Edited Reviews
 - a. Peer Review: What Happens After Commutation? An Examination of Institutional Misconduct by Previously Death-Sentenced Mentally Retarded Capital Offenders; approved for publication, Criminal Law Bulletin, 2015
 - b. Peer Review: Manuscript title: Lethal Injection: Where do we go from here? Submitted to Criminal Law Bulletin, July 10, 2015.
 - c. Peer Review: The Role of Biomedical Information and Childhood History on Sentencing,” BEHAVIORAL SCIENCES AND THE LAW
 - d. Peer Review: The Progression of “Evolving Standards of Decency” in U.S. Supreme Court Decisions; Matthew C. Matusiak, Michael S. Vaughn, and Rolando V. del Carmen; published Criminal Justice Review
 - e. Peer Review: Title: Death Row Confessions and the Last Meal Test of Innocence; published in Laws/MDPI; October 2013; authors: Kevin M. Kniffin, Brian Wansink
 - f. Peer Review: The Death Penalty and Human Dignity: Is an Economic Imperative Sufficient? [Laws] Manuscript ID: laws-122683; April 10, 2016; editor: Robert Johnson, American University; robert.johnson@american.edu; <http://www.mdpi.com/journal/laws/>
 - g. Peer Review: Identifying the prevalence of courses on mental illness in criminal justice education; Journal of Criminal Justice Education Manuscript; RCJE-2016-0071

References: Committee Chair and members

1. Dr. James Acker, JD PhD; School Criminal Justice, U Albany, Draper Hall, 135 Western Ave. Albany, NY 12222; 518 442-5214 (jacker@albany.edu); Chair
2. Dr. Allison D Redlich; U Albany Assistant Professor Criminal Justice; aredlich@gmu.edu; Committee member; [703.993.5835](tel:703.993.5835)
3. Dr. Frankie Bailey; U Albany, 518 442-5214; fybailey@albany.edu; Committee member