



Indiana Federal Community Defenders

A Conversation with Alex Kotlowitz

- ❖ **ALEX KOTLOWITZ** Award-winning journalist Alex Kotlowitz, lauded for his unflinching portrayal of race and poverty in America, is the author of the bestselling works of nonfiction *There Are No Children Here* and *The Other Side of the River*. He produced the critically-acclaimed documentary *The Interrupters*, with director Steve James (*Hoop Dreams*), which was inspired by an article Kotlowitz wrote about urban violence in Chicago for the *New York Times Magazine*. Hailed by A.O. Scott of the *New York Times* as one of the "must see" documentaries of 2011, *The Interrupters* was praised by the *Miami Herald* as "a heartbreaking, empowering documentary about inner-city violence" and was awarded the 2012 Independent Spirit Award for Best Documentary. A staff writer for the *Wall Street Journal* from 1984-1993, Kotlowitz remains an active journalist and is a regular contributor to National Public Radio (*This American Life*, *All Things Considered*, and *Morning Edition*) and the *New York Times Magazine*. He is currently working on a new book and teaching at Northwestern.

Race and the Jury Panel

- ❖ **RICHARD KAMMEN** Richard Kammen is a practicing criminal defense lawyer with his office in Indianapolis, Indiana. He concentrates his practice in serious felonies, white-collar defense, complex crimes and death penalty defense. He is a member of the law firm of Kammen, Maryan and Moudy. He graduated from Ripon College cum laude in 1968 and New York University School of Law in 1971. Admitted to the Bar in 1971, he began his practice after service in the United States Army.

During his professional career, Mr. Kammen has served as a public defender in the Marion County Courts on two occasions, 1972-1974 and 1978-1979. He presently maintains an active criminal defense practice in both the state and federal courts, acting as both retained and appointed counsel. He has represented clients charged with offenses ranging in seriousness from felony drunk driving to Racketeering and Capital Murder.

Mr. Kammen has defended over three hundred homicide cases including death penalty cases in both State and Federal courts. Mr. Kammen has been trial counsel on six State death penalty cases, including *State of Indiana v. Charles Smith*, a retrial of a reversed death penalty conviction in which the defendant was found not guilty. He has been appointed by United States District Judges to represent capitally charged defendants throughout the United States including such cases as *United States v. Raymond Cheely* (Government's request for death penalty dismissed as improper) *United States v. Reginald Brown* (Government's request for death penalty and underlying Murder charges dismissed because the defendant is innocent) , *United States v. Joe Miner*, in which the defendant, convicted of killing his pregnant girlfriend and her three year old with a bomb received a life sentence. He was appointed "learned counsel" in *United States v. Donnell Young*, which was, until

it was resolved by a plea the longest Federal capital case pending in the United States.. Mr. Kammen was appointed as “learned counsel” in the Federal capital case, United States v. Timothy O’Reilly. Mr. O’Reilly received a life sentence after a trial lasting three months. He was lead counsel on the defense team that represented David Camm who was exonerated after thirteen years, and two prior convictions of killing his wife and two children

Mr. Kammen serves as “death penalty counsel” in United States v. Rahim Al-Nashiri who is charged before a Military Commission at Guantanamo Bay Cuba. Al-Nashiri is alleged to have been a central figure in the bombing of the U.S.S. Cole in 2000 in Aden, Yemen. This is likely to be the first capital military commission.

A frequent speaker and lecturer on criminal defense issues, Mr. Kammen has spoken in almost every state and federal circuit. He has been a member of the faculty of the National Criminal Defense College since 1982 and the Trial Lawyers College since 2001.

Mr. Kammen is the recipient of the Pro Bono Award given by the Indiana Bar Association.

Addressing Over Criminalization at Sentencing

- ❖ **LUCIUS OUTLAW** has been an assistant federal public defender with the Federal Public Defender Office of Maryland since 2010. Prior to this position, he was an attorney in private practice in Washington, D.C., first as an associate at Williams & Connolly LLP, then as an associate and partner at Mayer Brown LLP. He is a graduate of Wesleyan University, the George Washington University Graduate School of Political Management, and the University of Pennsylvania Law School.

Panel Update

- ❖ **MONICA FOSTER** was appointed Chief Federal Defender for the Southern District of Indiana in September of 2012. Prior to that she was in private practice where her work focused on death penalty defense. She has represented capital clients throughout the country. Monica has argued in the United States Supreme Court and various state and federal courts throughout the country. She also represented the Government of Mexico when their nationals were charged with capital eligible offenses in the United States. Always a fan of the underdog, she is a relentless rescuer of small dogs. She and her husband are trying to bring peace back to the Middle East one young Arab boy at a time; they have hosted foreign exchange students from Saudi Arabia for the past eight years.



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Collateral Consequences and the Perpetuation of Inequity: Crafting Sentencing Alternatives that Make a Difference

- ❖ **DAVID A. SINGLETON**, Executive Director, Ohio Justice and Policy Center, Cincinnati, Ohio.

Defending Veterans in Criminal Court

- ❖ **ART CODY**, Captain Art Cody, USN (Retired) is Deputy Director of the Veterans Defense Program of the New York State Defenders Association. In total, his active and reserve military career spans over thirty years and he is veteran of multiple combat zone deployments. He served aboard *USS Enterprise* (CVN-65) in the initial response to the 9-11 attacks and was most recently deployed to Afghanistan (2011-2012) as the Director of the Rule of Law Section, US Embassy Kabul. As a civilian lawyer, he has represented criminal defendants for over twenty years and currently chairs the Capital Punishment Committee of the New York City Bar Association. He frequently presents nationally on the defense of veterans, provides counsel to lawyers for veterans, and recently served as lead counsel in a veteran capital clemency hearing. A graduate of West Point, Art has a Master's Degree from the University of Southern California and graduated *magna cum laude* from Notre Dame Law School where he was the Executive Editor of the *Notre Dame Law Review* and founded the Notre Dame Coalition to Abolish the Death Penalty. His military decorations include the Navy Bronze Star Medal, Meritorious Service Medal, Naval Aviator Badge, and the German Armed Forces Parachutist Badge.
- ❖ **GWENDOLYN BEITZ** joined the Office of the Federal Community Defenders in 2012 following a distinguished career with the United States Air Force, Judge Advocate General Corps. During her time with the Air Force, Gwendolyn was rated the #1 trial defense attorney worldwide by her superiors and was ranked among the top 2 litigators in the Air Force Judiciary. Gwendolyn focused her practice on defending high profile and complex cases, defending over 100 federal trials with a special expertise in the area of sex crimes. She is an honors graduate of the University of Oklahoma college of Law.

Race and the Fourth Amendment: Challenging Assumptions about Reasonableness

- ❖ **JUVAL O. SCOTT** joined the Training Division of the Defender Services Office as an Attorney Advisor in January 2015. Juval came to the Training Division from the Milwaukee office of the Federal Defender Services of Wisconsin, Inc., which she joined as an Assistant Federal Defender in November of 2012. Prior to that, she was an AFD in the Southern District of Indiana. Before becoming an AFD, Ms. Scott worked as an associate in a small firm primarily handling criminal, personal injury, and family law matters; a deputy prosecutor for the Tippecanoe County Prosecutor's Office in Lafayette, Indiana; and as Associate General Counsel for a private investigation firm focusing on trademark litigation. She has also served as a Judge Pro Tempore in the Marion County Criminal Courts. In 2002, Ms. Scott received her law degree from the Indiana University Robert H. McKinney School of Law, and she obtained her Bachelor of Science in Biology and Chemistry, from Xavier University of Louisiana in 1997. Ms. Scott regularly teaches throughout the country at local panel trainings as well as programs sponsored by the Defender Services Office Training Division, the National Criminal Defense College, Wisconsin Association of Criminal Defense Lawyers, Wisconsin State Public Defender, National Association of Criminal Defense Lawyers, and the National Bar Association.

Ideas for trying the tough cases of sex trafficking, and production, possession, receipt and distribution of child pornography

- ❖ **JENNIFER THOMPSON** joined the Training Division of the Defender Services Office as an Attorney Advisor in January 2015. Juval came to the Training Division from the Milwaukee office of the Federal Defender Services of Wisconsin, Inc., which she joined as an Assistant Federal Defender in November of 2012. Prior to that, she was an AFD in the Southern District of Indiana. Before becoming an AFD, Ms. Scott worked as an associate in a small firm primarily handling criminal, personal injury, and family law matters; a deputy prosecutor for the Tippecanoe County Prosecutor's Office in Lafayette, Indiana; and as Associate General Counsel for a private investigation firm focusing on trademark litigation. She has also served as a Judge Pro Tempore in the Marion County Criminal Courts. In 2002, Ms. Scott received her law degree from the Indiana University Robert H. McKinney School of Law, and she obtained her Bachelor of Science in Biology and Chemistry, from Xavier University of Louisiana in 1997. Ms. Scott regularly teaches throughout the country at local panel trainings as well as programs sponsored by the Defender Services Office Training Division, the National Criminal Defense College, Wisconsin Association of Criminal Defense Lawyers, Wisconsin State Public Defender, National Association of Criminal Defense Lawyers, and the National Bar Association.