

JESSICA S. HENRY
henryj@montclair.edu
Website: www.jessicahenryjustice.com

SUMMARY

Professor of Justice Studies with 18 years of teaching experience in law-related classes including Criminal Law, Criminal Procedure, and Evidence. Recipient of University-wide Distinguished Scholar and Teacher Awards, given to one faculty member each year for excellence in scholarship and teaching. Ten years of experience as a trial and appellate public defender in the Bronx and Manhattan, NY and at the federal public defender in Newark, NJ. Author of award-winning book, *Smoke but No Fire: Convicting the Innocent of Crimes that Never Happened* (UC Press 2020). TEDx Speaker. National contributor and commentator for media outlets including the New York Times, the Wall Street Journal, NBC, Fox, and NPR.

PROFESSIONAL EXPERIENCE

MONTCLAIR STATE UNIVERSITY

Montclair, NJ

Department of Justice Studies

Rank/Title:

Professor	2020-Present
Associate Professor	2010-Present
Assistant Professor	2005-2010
Chair	2013-2016

Awards:

University Distinguished Scholar 2022
University Distinguished Teacher 2015
CHSS Award for Excellence in Teaching 2010
Faculty-Student Research Grant 2021-2022, 2017-2018, 2013-14

Courses Taught:

Criminal Law, Criminal Procedure, Evidence, Wrongful Convictions, Death Penalty Perspectives, Hate Crimes, Introduction to Justice, Law and Society, Senior Seminar, and electives within the Honors program.

OFFICE OF THE APPELLATE DEFENDER

New York, NY

Senior Litigation Counsel

2002- 2005

Staff Attorney

1996- 1999

Represented indigent clients in all stages of the appellate process. Wrote briefs and motions in direct state appeals and federal collateral litigation. Presented oral arguments in state and federal courts. Supervised legal interns in brief writing and oral advocacy.

FEDERAL PUBLIC DEFENDER'S OFFICE

Research and Writing Attorney

Engaged in research and writing in support of federal criminal trial and appellate litigation.

Newark, NJ

2001-2002

THE BRONX DEFENDERS

Staff Attorney

Represented indigent clients in all aspects of criminal trial practice. Investigated, prepared and tried felony and misdemeanor cases. Through extensive motion practice, litigated suppression of physical evidence, statements, and identification.

Bronx, NY

1999-2001

ANDERSON, KILL, & OLICK, P.C.

Associate

Successfully represented pro bono client in asylum petition and hearing. Drafted briefs and memoranda for use in bankruptcy and securities litigation.

New York, NY

1995-1996

STATE OFFICE OF THE PUBLIC DEFENDER

Death Penalty Law Clerk

Received intensive training in capital appellate litigation. Researched and drafted legal memorandum for use in writ of habeas corpus petitions and opening briefs for death penalty appeals.

San Francisco, CA

Summer 1992

EDUCATION

NEW YORK UNIVERSITY SCHOOL OF LAW

Juris Doctorate, 1995

Honors: Fellow, Center for Research in Crime and Justice; Articles Editor, *Annual Survey of American Law*; Public Interest Grant Recipient

BUCKNELL UNIVERSITY

B.A., Economics and Sociology (concentration in Criminology), *magna cum laude*, 1990

Honors: Phi Beta Kappa; President, Bucknell Student Government

LONDON SCHOOL OF ECONOMICS, London, England, 1988

BAR ADMISSIONS

New Jersey 1995; New York 1996; Southern District of New York 1999; Second Circuit 1999.

PROFESSIONAL ASSOCIATIONS

American Society of Criminology, American Criminal Justice Society, Law and Society Association

PUBLICATIONS (BOOKS)

Jessica S. Henry, *Smoke but No Fire: Convicting the Innocent of Crimes that Never Happened* (University of California Press: 2020).

Book Awards:

- *Montaigne Medal for most thought-provoking book of the year
- *Foreword INDIES 202 Book of the Year Award (Silver, Political and Social Sciences)
- *First Horizon Award for superior writing by a debut author
- *Eric Hoffer Grand Prize short list

PUBLICATIONS (JOURNAL ARTICLES)

Jessica S. Henry, *Lessons Learned from Women Wrongly Convicted of Crimes that Never Happened*, __ Rutgers L. Rev. __ (forthcoming 2023).

Jessica S. Henry, *Women and No Crime Wrongful Convictions: The Misclassification Error*, __ Law J. Soc. Just. __ (forthcoming 2023).

Jessica S. Henry, *Smoke but No Fire: When Innocent People Are Wrongly Convicted of Crimes That Never Happened*, 55 Am. Crim. L. Rev. 2 (2018).

Jessica S. Henry et al., *Virtual Life Sentences: An Exploratory Study*, 98 Prison J. 294 (2018).

Jessica S. Henry, *Reducing Severe Sentences: Role of Prison Programming in Sentencing Reform*, 14 Criminology & Pub. Pol'y 397 (2015).

Jessica S. Henry, *Promoting the Study of Wrongful Convictions in Criminal Justice Curricula*, 25 J.Crim. Just. Educ. 236 (2014).

Jessica S. Henry, *Bias-Based Cyberbullying: The Next Hate Crime Frontier*, 49 Crim. L. Bull. 481 (2013).

Jessica S. Henry, *Beyond Free Speech: Novel Approaches to Hate on the Internet in the United States*, 18 J. Info. & Comm. Tech. L. 235 (2009).

Jessica S. Henry, *The Second Chance Act of 2007*, 45 Crim. L. Bull. 416 (2009).

Jessica S. Henry, *New Jersey's Road to Abolition*, 29 Just. Sys. J. 408 (2008).

Jessica S. Henry, *Criminal History on a "Need to Know" Basis: Employment Policies that Eliminate the Criminal History Box on Employment Applications*, 5 Just. Pol'y J. 15 (2008).

Jessica S. Henry, *Closing the Legal Services Gap in Reentry*, 21 Crim. Just. Stud. 15 (2008).

Jessica S. Henry & James B. Jacobs, *Ban the Box to Promote Ex-Offender Employment*, 6 *Criminology & Pub. Pol'y* 755 (2007).

Jessica S. Henry, *Treating Bigots Like Pedophiles: Posting Personal data of Convicted Bias Offenders on the Web*, 16 *L.A.E.J. Am. Crim. Just. Ass'n* 16 (2007).

James B. Jacobs & Jessica S. Henry, *The Social Construction of a Hate Crime Epidemic*, 86 *J. Crim. L. & Criminology* 366 (1996)

PUBLICATIONS (BOOK CHAPTERS IN PEER-EDITED VOLUMES)

Jessica S. Henry, *No "Criminal" Here: Lessons Learned from a Wrongful Conviction*, in *What is a Criminal: Answers from Inside the US Justice System*, edited by K. Gaudet (Routledge, 2023).

Jessica S. Henry, *Death in Prison Sentences: Overutilized and Underscrutinized*, in *Life Without Parole*, edited by A. Sarat and C. Ogletree (New York University Press, 2012).

Jessica S. Henry, *Hate Crime Laws: A Critical Assessment*, in *Hate Crimes: Perspectives and Approaches*, edited by B. Perry and B. Levin (Greenwood Publishing Group, 2009).

PUBLICATIONS (REVIEWS, COMMENTS AND SHORT ESSAYS)

Jessica S. Henry, *Book Review: Life Imprisonment A Global Human Rights Perspective*, *International Criminal Justice Review*, (Jan. 2020).

Jessica S. Henry, *Miller's Children: Why Giving Teenage Killers a Second Chance Matters for All of Us*, *Contemporary Justice Review* 21, no. 3 (2018): 338–44.

Jessica S. Henry, *Blue Lives Matter Has No Place in Hate Crime Law*, " *Jurist: Academic Commentary*, June 28, 2016,

Jessica S. Henry, *Where Poverty is the Worst Crime of All: A Film Review of Gideon's Army*, 25 *Crim. Just. Pol'y Rev.* 653 (2014).

Jessica S. Henry, *Engaging the Millennial Learner through the 'Expert' Approach*, *The Paralegal Educator* (Winter 2010).

Jessica S. Henry, *Hate Crimes*, *Contemporary Justice Review* 11 (2008): 293–95.

Jessica S. Henry, *Police Brutality*, in *Battleground: Criminal Justice*, ed. Gregg Barak (Westport, CT: Greenwood Press, 2008).

Jessica S. Henry, *Hate Crimes*, in *Teaching About Ethnoviolence and Hate Crimes Resource Guide*, ed. Abby Ferber and Kimberly Holcomb (Washington, D.C.: American Sociological Association, 2007).

Jessica S. Henry, *Making the Case for Public Sector Paralegal Internship Placements*, *The Paralegal Educator* 20, no. 2 (Fall 2006).

Jessica S. Henry and James B. Jacobs, *Book Review, Rising Tide of Bigotry and Bloodshed: Hate Crimes*, *Criminal Justice Review* 19 (Fall 1994): 291.

CONFERENCE PAPERS AND PRESENTATIONS

Jessica S. Henry, "Lessons Learned from Women Convicted in No-Crime Wrongful Conviction Cases." Symposium *Barriers to Innocence: Identifying, Investigating, and Undoing Wrongful Convictions, Current Issues in Law, Policy, Practice, and Science*. Rutgers University School of Law, Newark, NJ, March 29, 2023.

Jessica S. Henry, "Women and No-Crime Wrongful Convictions: The Misclassification Error". *Overcriminalization and Manifesting Justice Symposium*. Arizona State University School of Law, Phoenix, Arizona, March 10, 2023.

Jessica S. Henry, "Wrongful Convictions Courses and the Future of the Criminal Justice System." National Innocence Network Conference. Phoenix, Arizona, April 12, 2022.

Jessica S. Henry, "Author Meets Critic, Smoke but No Fire." American Society of Criminology. Chicago, Illinois, November 17, 2021.

Jessica S. Henry, "National Jewish Network on Criminal Justice Reform: The Death Penalty (virtual)." 2021.

Jessica S. Henry, "Is the Law a Tool of Social Justice?" Montclair State University, Montclair, NJ, October 18, 2021.

Jessica S. Henry, "Author Meets Reader." *Law and Society* (virtual), June 8, 2021.

Jessica S. Henry, "Smoke but No Fire." Newkirk Center for Science and Society, University of California at Irvine (virtual), February 4, 2020.

Jessica S. Henry, "Indigent Defense Research Association (virtual)." 2020.

Jessica S. Henry, "NYC Women's March. Voter Disenfranchisement and Reform." New York, January 18, 2020.

Jessica S. Henry, "Judges and Wrongful Convictions." American Society of Criminology. San Francisco, California, November 15, 2019.

Jessica S. Henry, "Jewish Advocacy and Criminal Justice Reform." Jewish Council for Public Affairs. Washington D.C., February 27, 2018.

Jessica S. Henry, "Wrongful Convictions: Prosecutorial Misconduct." Descovic Foundation for Justice. Montclair State University, May 8, 2018.

Jessica S. Henry, "Justice Reimagined." Montclair State University, April 19, 2018.

Jessica S. Henry, "Wrongful Convictions for Crimes that Never Happened." American Society of Criminology. Philadelphia, PA, November 15, 2017.

Jessica S. Henry, "Twisted Justice: Innocence and No Crime Wrongful Convictions." The Innocence Network Conference. San Diego, California, March 24, 2017.

Jessica S. Henry, "When Things Go Really Wrong with Criminal Justice: Introducing No-Crime Convictions." Social Justice Conference. Montclair State University, Montclair, NJ, April 22, 2017.

Jessica S. Henry, "Virtual Life Sentences." Academy of Criminal Justice Sciences. Orlando, Florida, March 3, 2015.

Jessica S. Henry, "Deconstructing Death in Prison Sentences." Academy of Criminal Justice Sciences. Philadelphia, PA, February 21, 2014.

Jessica S. Henry, "Prison Reform In New Jersey: Exploring Alternative Approaches." Montclair State University. Montclair, NJ, May 8, 2014.

Jessica S. Henry, "The Crisis in American Criminal Justice: Why America is the World's Largest Jailer." Salon Series. Montclair State University, Montclair, NJ, October 29, 2013

Jessica S. Henry, "Balancing Freedom of Religion with Freedom of Speech." President's Commission on Affirmative Action, Equal Opportunity and Diversity: Affirmative Action Day. Montclair State University, Montclair, New Jersey. 2013.

Jessica S. Henry, "Death in Prison Sentences: Not So Different from Death." American Society of Criminology. Atlanta, GA. 2013.

Jessica S. Henry, "Bias-Based Cyberbullying: The New Hate Crime Frontier." American Society of Criminology. Washington, DC. 2011.

Jessica S. Henry, "Restoration Issues: Ban the Box." The Cornell University Richard Netter Conference on Criminal Records and Employment. Cornell ILR/Labor and Employment Law Program. New York, New York. 2011.

Jessica S. Henry, "Life Without Parole: America's New Death Penalty." Ultimate Penalties: Life Without Parole and Other Death in Prison Sentences. Amherst College's Charles Hamilton Houston Forum for Law and Social Justice and Harvard Law School's Charles Hamilton Houston Institute for Race and Justice. Amherst, Massachusetts. 2010.

Jessica S. Henry, "Imaging Decarceration in a World with Life Without the Possibility of Parole." American Society of Criminology. Philadelphia, PA. 2009.

Jessica S. Henry, "Hate Crimes: Challenging Student Concepts of Tolerance and Justice." Justice Studies Association. Albany, New York. 2009.

Jessica S. Henry, "A Second Look at the Second Chance Act." American Society of Criminology. St. Louis, Missouri. 2008.

Jessica S. Henry, "Abolition in New Jersey: The Death of the Death Penalty." American Society of Criminology. Atlanta, Georgia. 2007.

Jessica S. Henry and James B. Jacobs. "Taking Decarceration Seriously." American Society of Criminology. Atlanta, Georgia. 2007.

Jessica S. Henry, "Posting Hate Offenders on the Web." American Society of Criminology. Los Angeles, California. 2006.

Jessica S. Henry, "Teaching About Hate Crime." Law and Society Association. Baltimore, Maryland. 2006.

Jessica S. Henry, "Expanding Re-entry: The Role of the Appellate Public Defender." American Society of Criminology. Toronto, Canada. 2005.

PRESENTATIONS (OTHER)

Microsoft PAC (2020)

Programs with a Purpose with Greater Leadership of Washington (2020)

LMHQ (2020)

Watchung Booksellers (2020)

TELEVISION, RADIO, PODCASTS, AND OTHER MEDIA (Selected)

TEDx Talk, *No-Crime Wrongful Convictions*, [TEDx Butler](#)

Television and Radio

Corus Radio, A Little More Conversation with Ben O'Hara-Byrne, [Trump's Arraignment](#), April 4, 2023.

FOX Live NOW, [Justice Studies expert discusses possible Trump indictment](#), March 21, 2023.

Fox Live NOW, [Could Trump face charges in the Stormy Daniels Case](#), March 14, 2023,

PBS – NJ Spotlight News, [New Report Asserts ‘War on Drugs’ Failed at Decreasing Drug Use, Overdoses](#), (June 17, 2021).

Wisconsin Public Radio, *Central Time*, “[How to Prevent Wrongful Convictions](#)”
[Forensic Misconduct. The Academic Minute](#)

NJ Spotlight News, [What Can Reform Police Practices? Consent Decrees](#), June 5, 2020.

New Jersey 101.5, [More Hate Crimes Reported in NJ – But Real Numbers May Be Worse](#),
March 29, 2018.

NBC, Gun Arrest Data.

Pacifica Radio on [Life Without Parole](#) (July 12, 2012)

Globosat (Brazilian television – American Hate Crime Laws). (June 20, 2012).

National Public Radio, “[In Rutgers Verdict, Even Judge Found ‘Muddled’ Law](#),” (March 19,
2012),

WHYY, [Law Will Bar Employers from Asking About Criminal Past](#), April 18, 2011.

Jami Floyd: The Best Defense, Tru TV (formerly Court TV). (2008-2011). Repeat appearances
as guest commentator and legal analyst on live national television program.

Catherine Crier Live, Court TV. (2003-2004). Provide legal analysis on live national television
program.

Print (author)

Jessica S. Henry, [Crime is on the Ballot – and Voters are Choosing Whether Prosecutors with Reform Agendas are the Ones Who Can Brest Bring Law, Order and Justice](#). The Conversation,
November 3, 2022.

[Now that the Chauvin Verdict is in, Let’s Talk about how we can change policing](#) (opinion),
NJ.com (April 21, 2021).

[We Can Save Lives by Reducing Prison Populations Now](#) (opinion). Austin Stateman (April 13,
2020).

[Thousands of People Might be in Prison for Crimes that Never Happened](#).
Momentum.Media.com (September 2, 2020)

[What Abolish and Defund the Police Really Mean](#). Montclair State University Faculty Voices

Podcast Appearances

Everyday Injustice Podcast (February 1, 2023).

Pod Save the People Podcast (September 12, 2021).

Democracy on the Move Podcast (September 14, 2021).

Huckleberry Gin Podcast (April 21, 2021).

Montclair Public Library Podcast (February 2, 2021).

The ABA Journal: Modern Law Library Podcast (August 12, 2020).

Criminal Injustice with David A. Harris Podcast (September 22, 2020).

The Crime Story Podcast with Amanda Knox (September 5, 2020).

Decarceration Nation Podcast, (August 10, 2020).

Women and Crime Podcast (December 15, 2020).

Print (quoted in)

The State Convicted Him of Child Abuse. A Medical Expert Said It Was Likely Diaper Rash. The Appeal (January 29, 2021).

2,258 N.J. Prisoners Will Be Released in a Single Day. The New York Times. (November 4, 2020.)

Is U.S. Legal System Stacked Against Poor? The Crime Report (August 12, 2020).

What Defund the Police Means – In terms Simple Enough for a Child to Understand. Parents.com (August 28, 2020).

Making Black Lives Matter. NJ.com (August 13, 2020).

What Cities Can and Can't Do When it Comes to the Feds. US News & World Report (July 27, 2020).

This NJ City Says it Has Bad Cops and Can't Fire Them. The Bergen Record (June 24, 2020).

A Laboratory for What the World Could Be. Montclair State University Homepage News (June 18, 2020).

Experts Fear Smaller Cities Are Ill-Equipped to Handle George Floyd Protests. US News and World Report (June 8, 2020).

Putting cops on trial is difficult. Will the George Floyd case be any different? NJ.com (June 6, 2020)

Jersey's Steps to Create a No-Hate State. NJ Monthly (May 13, 2020).

Plea Deals Are Catch-22 for those Like Tucson Man Who Claims Wrongful Convictions, Arizona Central (March 15, 2019)

States Move to Strengthen Laws in Response to Rise in Hate Crimes, Wall Street Journal (March 23, 2017)

The Case Against "Blue Lives Matter" Bills, The Nation ((May 23, 2017).

Internet Comments Turn Violent, Racist After Bombing Suspect's Arrest: Free Speech or Hate Speech? patch.com (September 23, 2016)