

**MARGARET COLGATE LOVE**  
**15 Seventh Street N.E.**  
**Washington, D.C. 20002**

**LAW PRACTICE**

Law Office of Margaret Love, Washington D.C. (1997–present). Private practice of law (executive clemency and restoration of rights, sentencing and corrections policy, government ethics)

United States Department of Justice, Washington, D.C. (1979-1997)

- *United States Pardon Attorney* (1990-97).
- *Associate Deputy Attorney General* (1988-1990); *Deputy Associate Attorney General* (1988-89).
- *Special Counsel, Office of Legal Counsel* (1979-1988).

Shea & Gardner, Associate, Washington D.C. (1977-79).

**PROFESSIONAL ACTIVITIES**

Collateral Consequences Resource Center, Inc., Executive Director and Board Member, 2014 to present

National Association of Criminal Defense Lawyers, Task Force on Restoration of Rights and Status, Member, 2012 to present

American Bar Association, National Inventory of Collateral Consequences of Conviction, Director, 2011 to 2013

ABA Criminal Justice Standards Committee, Drafting Task Force for Standards on Treatment of Prisoners (chair, 2005 to 2010); Drafting Task Force, Collateral Sanctions and Discretionary Disqualification of Convicted Persons (chair, 1999-2003); Liaison from National Legal Aid and Defender Association (2009 to present).

American Law Institute (1995 to present) – Adviser, Model Penal Code: Sentencing (2012); Members Consultative Group, Model Penal Code: Sentencing (2000-2012); Principles of Government Ethics; Restatement of the Law Governing Lawyers. Special project for the Director on reform of the Federal Criminal Code (1998).

National Conference of Commissioners on Uniform State Laws, Uniform Law on Collateral Consequences of Conviction; Enactment Committee, 2009 to present, ABA Liaison, 2004 to 2009. Criminal Records Project, NACDL Liaison, 2014 to present.

American Bar Association Commission on Effective Criminal Sanctions, Director, 2005 to 2009. Prepared reports on the collateral consequences of conviction, access to and use of criminal records; organized and edited the proceedings of a conference on early release in a determinate sentencing system.

ABA Justice Kennedy Commission, Reporter (2003 - 2004) – prepared reports on executive clemency, prison conditions and prisoner reentry

Open Society Institute, Soros Senior Fellow (2004-05) – Project to write book on operation and effectiveness of state and federal mechanisms for restoration of rights after conviction.

American Bar Association, Standing Committee on Ethics and Professional Responsibility (1990-1996, chair 1994-96).

Adjunct Faculty, Georgetown Law School and Washington College of Law, American University - taught courses on government ethics and legal ethics (1994-1998).

## **EDUCATION**

**Yale Law School, J.D.**

**University of Pennsylvania, M.A.** (Medieval and Early Modern History).

**Sarah Lawrence College, B.A.**

## **SELECTED PROFESSIONAL PUBLICATIONS**

### **BOOKS:**

**COLLATERAL CONSEQUENCES OF CRIMINAL CONVICTION: LAW, POLICY AND PRACTICE** (ThompsonWest/NACDL 2013)(with Cecelia Klingele and Jenny Roberts) (2d ed. forthcoming).

**RELIEF FROM THE COLLATERAL CONSEQUENCES OF CONVICTION: A STATE-BY-STATE RESOURCE GUIDE** (William Hein 2006).

### **ON-LINE LEGAL RESEARCH ARCHIVE:**

Restoration of Rights Project, National Association of Criminal Defense Lawyers (current through 2015), [www.nacdl.org/rightsrestoration](http://www.nacdl.org/rightsrestoration)

### **ARTICLES:**

*Managing Collateral Consequences in the Sentencing Process: The Revised Sentencing Articles of the Model Penal Code*, \_\_\_ WIS. L. REV. \_\_\_ (2015)

*Reinvigorating the Federal Pardon Power: What the President Can Learn from the States*, 9 ST. THOMAS L. REV.730 (2013).

*Evolving Standards of Reasonableness: The ABA Standards and the Right to Counsel in Plea Negotiations*, 39 FORDHAM URBAN LAW JOURNAL 147 (2011)

*Collateral Consequences after Padilla v. Kentucky: From Punishment to Regulation*, 30 ST. LOUIS PUB. L. REV 87 (2011).

*Gender & Sexuality in the ABA Standards on the Treatment of Prisoners*, 38 WM. MITCHELL. L. REV. 2116 (2012)(with Giovanna Shay)

*First Thoughts about “Second Look” and Other Sentence Reduction Provisions of the Model Penal Code: Sentencing Revision*, 42 U. TOLEDO L. REV. 859 (2011) (with Cecelia Klingele)

*The Collateral Consequences of Padilla v. Kentucky: Is Forgiveness Now Constitutionally Required?*, 160 U. PENN. L. REV. PENNUMBRA 113 (2011).

*When the Punishment Doesn't Fit the Crime: Reinventing Forgiveness in Unforgiving Times*, HUMAN RIGHTS (Nov. 2011)

*Paying Their Debt to Society: Forgiveness, Redemption, and the Uniform Collateral Consequences of Conviction Act*, 54 HOWARD L. J. 753 (2011)

*The Twilight of the Pardon Power*, 100 JOURNAL OF CRIMINAL LAW. & CRIMINOLOGY 1169 (2010).

*Status as Punishment: A Critical Guide to Padilla v. Kentucky*, 25 CRIMINAL JUSTICE 21 (FALL 2010)(with Gabriel J. Chin)

*The “Major Upheaval” of Padilla v. Kentucky: Extending the Right to Counsel to the Collateral Consequences of Conviction*, 25 CRIMINAL JUSTICE 36 (Summer 2010)(with Gabriel J. Chin)

*ABA Criminal Justice Standards on the Treatment of Prisoners*, 25 CRIMINAL JUSTICE 14 (Summer 2010) (with Margo Schlanger and Carl Reynolds).

*Padilla v. Kentucky: The Right to Counsel and the Collateral Consequences of Conviction*, THE CHAMPION (May 2010)(with Gabriel J. Chin)

*A New Look at a Very Old Subject: The Uniform Collateral Consequences of Conviction Act*, PRISON LEGAL NEWS ,  
[https://www.prisonlegalnews.org/includes/\\_public/\\_issues/pln\\_2010/02pln10.pdf](https://www.prisonlegalnews.org/includes/_public/_issues/pln_2010/02pln10.pdf)

*Alternatives to Conviction: Deferred Adjudication as a Way of Avoiding Collateral Consequences*, 22 FEDERAL SENTENCING REPORTER 6 (2009)

*Taking a Serious Look at “Second Look” Sentencing Reforms*, 22 FEDERAL SENTENCING REPORTER 149 (2009)

*Reinventing the President’s Pardon Power*, 20 FEDERAL SENTENCING REPORTER 5 (2007)(originally published as an Issue Brief by the American Constitution Society for Law and Policy)(October 2007).

“Certificates of Rehabilitation and Other Forms of Relief from the Collateral Consequences of Conviction: A Survey of State Laws,” October 1, 2006 (with April Frazier),  
[http://meetings.abanet.org/webupload/commupload/CR209800/sitesofinterest\\_files/AllStatesBriefingSheet10106.pdf](http://meetings.abanet.org/webupload/commupload/CR209800/sitesofinterest_files/AllStatesBriefingSheet10106.pdf)

*The Debt that Can Never Be Paid: Report Card on the Collateral Consequences of Conviction*, 21 CRIMINAL JUSTICE 16 (Fall 2006)

*Reviving the Benign Prerogative of Pardoning*, ” 32 LITIGATION MAGAZINE, VOLUME 32, No. 2 at 25 (Winter 2006).

“Relief from the Collateral Consequences of Conviction,” National HIRE Network Newsletter, November 2005 through March 2006 (Four-part series on state laws and national trends), available at [www.pardonlaw.com](http://www.pardonlaw.com).

*The American Way of Punishment: The ABA Justice Kennedy Commission Report*, XXVII The Champion 36 (December 2004)

*Mandatory Sentences and Presidential Mercy: The Role of Judges in Pardon Cases, 1790-1850*, 16 FEDERAL SENTENCING REPORTER 212 (2004)(with George Lardner, Jr.)

*Old Wine in a New Skin: The ABA Standards on Collateral Sanctions and Discretionary Disqualification of Convicted Persons*, 16 FEDERAL SENTENCING REPORTER 232 (2004)(with Gabriel J. Chin)

*Outside Authority: Government Lawyers Must Distinguish Their Duties from the Obligations of Clients*, 90 ABA JOURNAL 53 (2004)

*Starting Over With a Clean Slate: In Praise of a Forgotten Section of the Model Penal Code*, 30 FORDHAM URBAN LAW JOURNAL 101 (2003).

*The Pardon Paradox: Lessons from Clinton’s Last Pardons*, 32 CAPITAL LAW REVIEW 185 (2002).

*The Revised ABA Model Rules of Professional Conduct: Summary of the Work of Ethics 2000*, 15 GEORGETOWN JOURNAL OF LEGAL ETHICS 441(2002)

*Guest Editor, Symposium, Pardon Power and Sentencing Policy*, 13 FEDERAL SENTENCING REPORTER (2000-01).

*Guest Editor's Observations: Fear of Forgiving: Rule and Discretion in the Theory and Practice of Pardoning*, 13 FEDERAL SENTENCING REPORTER (2000-01).

*Deconstructing the New Infamy: A Preview of the Section's Project on Collateral Sanctions*, 16 CRIMINAL JUSTICE 30 (Fall 2001).

*Of Pardons, Politics and Collar Buttons: Reflections on the President's Duty to Be Merciful*, 27 FORDHAM URBAN LAW JOURNAL 1483 (2000).

*Ethics 2000: Summary of Recommendations to Date*, THE PROFESSIONAL LAWYER (Winter, 2000).

*Work-Sharing as an Alternative to Layoffs by Seniority: Title VII Remedies in Recession*, 126 UNIVERSITY OF PENNSYLVANIA LAW REVIEW 864 (1977) (with Clyde W. Summers).

## **OP ED PIECES AND SELECTED BLOG POSTS**

*Governor's pardon power used too rarely*, San Francisco Chron., Dec. 31, 2012.

*What's in a Name? A Lot, if the Name is "Felon,"* The Crime Report, March 13, 2012, <http://www.thecrimereport.org/viewpoints/2012-03-whats-in-a-name-a-lot-when-the-name-is-felon>.

*Expungement of Criminal Records: "The Big Lie,"* The Crime Report, June 23, 2011, <http://www.thecrimereport.org/viewpoints/2011-06-expungement-of-criminal-records-the-big-lie>

*Pardoning at its Best: N.Y. Gov. Paterson Spares Six from Deportation, Calling Immigration Enforcement "Random and Sometimes Cruel,"* American Constitution Society Blog, Dec. 9, 2010, <http://www.acslaw.org/acsblog/node/17858>

*Pardon People, too, Mr. President*, WASHINGTON POST, Nov. 12, 2010.

*The Quality of Mercy in New York: A Different Kind of State Challenge to Federal Immigration Policy*, American Constitution Society Blog, Oct. 28, 2010, <http://www.acslaw.org/node/17430>

*Looking for the President's Pardon Power? Try the Supreme Court*, American Constitution Society Blog, April 14, 2010, <http://www.acslaw.org/node/15863>.

*Reinvigorate the Power*, NATIONAL LAW JOURNAL, Feb. 23, 2009 (with John Stanish).

*Final Report Card on President Bush's Pardons*, [www.pardonlaw.com](http://www.pardonlaw.com).

*In Praise of Lame Duck Pardons*, WASHINGTON POST, Nov. 17, 2008, at A21.

*Begging Bush's Pardon*, LOS ANGELES TIMES, June 7, 2007, at A25.

*The Quality of the President's Mercy*, NEW YORK TIMES, Dec. 19, 2002, at A31.

*Rescuing the Pardon Power*, WASHINGTON POST, Jan. 25, 2001, at A19.

*A Place for Pardons*, WASHINGTON POST, Dec. 21, 1998, at A29.

## REPORTS AND TESTIMONY

AMERICAN BAR ASSOCIATION, STANDARDS FOR CRIMINAL JUSTICE: VOLUME 23: TREATMENT OF PRISONERS (2010)(with Margo Schlanger, et al.)

INTERNAL EXILE: SURVEY OF THE COLLATERAL CONSEQUENCES OF CONVICTION UNDER FEDERAL LAW (ABA Commission on Effective Criminal Sanctions and District of Columbia Public Defender Service)(2008)(with Kelly Salzmann)

SECOND CHANCES IN THE CRIMINAL JUSTICE SYSTEM: ALTERNATIVES TO INCARCERATION AND REENTRY STRATEGIES (ABA Commission on Effective Criminal Sanctions)(2008)

*Briefing for the United States Sentencing Commission on Alternatives to Incarceration*, November 14, 2007 (available at [http://meetings.abanet.org/webupload/commupload/CR209800/otherlinks\\_files/USSCPublicHearing.pdf](http://meetings.abanet.org/webupload/commupload/CR209800/otherlinks_files/USSCPublicHearing.pdf))

*Testimony Before the Joint Committee on the Judiciary of the Massachusetts General Court on Alternative Sentencing and Offender Reentry*, September 17, 2007 (available at [http://meetings.abanet.org/webupload/commupload/CR209800/otherlinks\\_files/MAtestimony9-18-07\(2\)\(2\).pdf](http://meetings.abanet.org/webupload/commupload/CR209800/otherlinks_files/MAtestimony9-18-07(2)(2).pdf))

*Testimony Before the United States Sentencing Commission on Proposed Guidelines Amendments on Sentence Reduction Motions under 18 U.S.C. § 3582(c)(1)(A)(i)*, March 15, 2006

AMERICAN BAR ASSOCIATION COMMISSION ON EFFECTIVE CRIMINAL SANCTIONS:  
REPORTS AND RECOMMENDATIONS TO THE ABA HOUSE OF DELEGATES (2006)  
(available at <http://www.abanet.org/dch/committee.cfm?com=CR209800>)

REPORT OF THE AMERICAN BAR ASSOCIATION JUSTICE KENNEDY COMMISSION  
(2004)

COMMISSION ON SITING OF COMMUNITY CORRECTIONS FACILITIES, REPORT TO  
THE MAYOR OF THE DISTRICT OF COLUMBIA (2003)

AMERICAN BAR ASSOCIATION, STANDARDS FOR CRIMINAL JUSTICE: VOLUME 19:  
COLLATERAL SANCTIONS AND ADMINISTRATIVE DISQUALIFICATION OF  
CONVICTED PERSONS (2002) (with Gabriel Chin).

FINAL REPORT AND SUMMARY OF RECOMMENDATIONS, ABA ETHICS 2000  
COMMISSION (JUNE 2001) ([http://www.abanet.org/cpr/e2k-mlove\\_article.html](http://www.abanet.org/cpr/e2k-mlove_article.html)).

*Testimony before the Subcommittee on the Constitution, Committee on the  
Judiciary, United States House of Representatives* (Feb. 28, 2001) (available at  
[http://www.house.gov/judiciary/love\\_022801.htm](http://www.house.gov/judiciary/love_022801.htm)).

COLLATERAL CONSEQUENCES OF A FELONY CONVICTION: A STATE-BY-STATE  
SURVEY (Office of the U.S. Pardon Attorney, 1992; revised and updated 1996)  
(with Susan M. Kuzma).

COMPASSIONATE RELEASE OF TERMINALLY ILL INMATES, REPORT TO THE ABA  
HOUSE OF DELEGATES (1995)(with Susan M. Kuzma).