



## News Report Activity: Case 7

Case 7: 'From Criminal to Criminal Defence Lawyer: A Former Drug Dealer Makes Good'. (Above the Law: 2015).

CRIME DRUGS

### From Criminal To Criminal Defense Lawyer: A Former Drug Dealer Makes Good

By DAVID LAT

Everyone loves a good redemption story, and that includes your editors here at Above the Law.

For example, we've written in these pages about Shon Hopwood, the bank robber turned jailhouse lawyer turned actual lawyer, and Jarrett Adams, the wrongfully convicted man who will be clerking for the very court that overturned his conviction.



Allan Haber

Here's another inspirational tale of a convict turned counsellor, as reported by Benjamin Weiser of the New York Times:

"A well-worn felon with more than a decade spent in places like Sing Sing and Rikers Island stood before the judge. But as Allan P. Haber appealed for mercy, he did so not for himself, but for a client.

Mr. Haber, 75, is one of the more unlikely criminal defense lawyers in New York.... Mr. Haber was once a drug dealer, selling heroin in Midtown Manhattan, carrying a gun, running a stash house and earning thousands of dollars a day selling bundles of heroin through a network of distributors. He had 10 convictions in his 20s and early 30s, including three drug-related felonies."

Yikes. Sometimes one's pre-law-school experience can be an asset in one's legal career — the CPA who becomes a lawyer specializing in accountant malpractice defense, the nightclub promoter turned nightlife lawyer — but I wouldn't recommend becoming a criminal so you can later represent criminal defendants.

A criminal history certainly complicates the process of getting admitted to law school and then to the bar, due to the character and fitness review. Just ask Shon Hopwood. Or Bruce, a convicted murderer who went to law school as well.

In his 40s, after serving his time and turning around his life, Allan Haber got his college and law school degrees from NYU. He disclosed his criminal past when he applied to NYU and again when he applied, successfully, for admission to the bar. But he has generally been discreet about sharing his past (well, until this New York Times article):

"I had no idea," said J. Paul Oetken, a federal judge in Manhattan, who in 2013 sentenced one of Mr. Haber's clients in a drug case to two and a half years, after Mr. Haber argued against the guidelines recommendation of seven to nine years.

"He did great work in that case," Judge Oetken said.

Haber told the Times that his criminal history has actually helped him in his legal practice. It aids him in trying to build trust and develop a rapport with his clients, and it gives him greater credibility when he argues that a client could benefit from a second chance.

How did Haber get on the straight and narrow path? A successful mentor surely helped:

While he was on parole, Mr. Haber met Emily Jane Goodman, a lawyer who would later serve for nearly 25 years as a State Supreme Court justice before retiring from the bench in 2012.



Ms. Goodman tutored him; his grammar and vocabulary were atrocious, she said. But one day she said he would make a good lawyer. “She said, ‘Nothing is impossible,’” Mr. Haber recalled. “She really motivated me.”

“He kind of became my project,” she recalled, adding, “I didn’t plan to fall in love with him.” They were married in 1983, and had a daughter, Justine, named after justice. (The marriage ended in the mid-1990s; Mr. Haber has been married to Maria Theodoulou, an oncologist at Memorial Sloan-Kettering Cancer Center, for 16 years.)

Emily Goodman’s name might ring a bell for longtime ATL readers. In 2007, then-Judge Goodman sent us an open letter lamenting the low pay for state judges. (Her email included a great disclaimer that, in light of the Edward Snowden revelations, turned out to have some truth to it: “This message may have been intercepted and read by government agencies including the FBI, CIA, NSA without notice or warrant or knowledge of sender or recipient.”)

With Judge Goodman’s help, Allan Haber got into NYU Law. He graduated in 1984, worked as a defense lawyer at the Legal Aid Society for almost a decade, and then went into private practice in 1993. He continues to represent clients to this day.

In the next few weeks, some 6,000 prisoners — non-violent drug offenders, just like Haber — will be released from federal prisons around the country. What will happen to them?

As columnist Toni Messina put it, “Let’s hope the follow-through on the sentence reductions will be as good as the build-up to it.” If we give these former inmates the support they need — job training, drug treatment, mental health programs — maybe they will follow in Allan Haber’s commendable footsteps.

