



MURIEL BOWSER  
MAYOR

DEC 6 2019

The Honorable Phil Mendelson  
Chairman  
Council of the District of Columbia  
John A. Wilson Building  
1350 Pennsylvania Avenue, NW, Suite 504  
Washington, DC 20004

2019 DEC -6 PM 2:03  
OFFICE OF THE  
CLERK OF THE  
COUNCIL

Dear Chairman Mendelson:

In accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), and pursuant to section 203 of the Clemency Board Establishment Act of 2018, effective December 13, 2019 (D.C. Law 22-197; D.C. Official Code § 24-481.03), I am pleased to nominate the following individual to the Clemency Board:

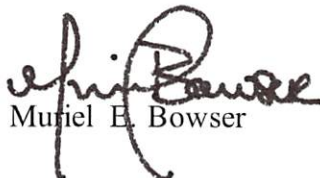
Mr. Andrew Fois  
5020 Sedgwick Street NW  
Washington, DC 20016  
(Ward 3)

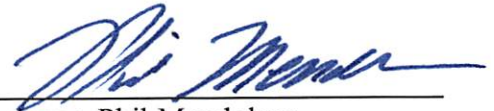
for appointment as a member of the District of Columbia Bar in good standing with experience in criminal law member of the Clemency Board, for a term to end April 9, 2022.

Enclosed you will find biographical information detailing the above nominee's experience, together with a proposed resolution to assist the Council during the confirmation process.

I would appreciate the Council's earliest consideration of this nomination for confirmation. Please do not hesitate to contact me, or Steven Walker, Director, Mayor's Office of Talent and Appointments, should the Council require additional information.

Sincerely,

  
Muriel E. Bowser



Chairman Phil Mendelson  
at the request of the Mayor

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Chairman Phil Mendelson, at the request of the Mayor, introduced the following resolution,  
which was referred to the Committee on \_\_\_\_\_.

To confirm the appointment of Mr. Andrew Fois to the Clemency Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Clemency Board Andrew Fois Confirmation Resolution of 2019”.

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Andrew Fois  
Sedgwick Street NW  
Washington, DC 20016  
(Ward 3)

as a member of the District of Columbia Bar in good standing, with experience in criminal law member of the Clemency Board, pursuant to section 203 of the Clemency Board Establishment Act of 2018, effective December 13, 2019 (D.C. Law 22-197; D.C. Official Code § 24-481.03), for a term to end April 9, 2022.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

# Andrew Fois

5020 Sedgwick Street NW Washington, DC 20016

Phone: 202-215-1290

E-Mail: afois@aol.com

## Summary of Qualifications

- *Seasoned attorney with strong management and leadership skills developed through decades of experience in various high-level management roles, including a Presidential nominated and Senate-confirmed post.*
- *Public policy expert who designs and implements legal policy, government/congressional relations, strategic communications, legal and stakeholder strategies for public entities, non-profits and private organizations.*
- *Criminal prosecutorial professional with extensive knowledge of the federal and D.C. judicial systems.*
- *Accomplished and skilled communicator, public speaker, author, commentator and teacher.*

## Professional Experience

### ATTORNEY ADVISOR, OFFICE OF LEGISLATIVE AFFAIRS, ADMINISTRATIVE OFFICE OF U.S. COURTS

March 2016 - present

Represent federal courts in, and conduct liaison with, U.S. Congress on range of legal policy issues. Monitor developments on Capitol Hill and report to Judicial Conference committees and AO staff. Work with judges and staff to develop legislative positions and advocate views before Congress.

### DEPUTY ATTORNEY GENERAL, PUBLIC SAFETY DIVISION, OFFICE OF THE ATTORNEY GENERAL FOR THE DISTRICT OF COLUMBIA

April 2012 - April 2015

Headed criminal prosecution division (about 20,000 cases annually), encompassing all juvenile offenses, certain adult misdemeanors and civil nuisance abatement actions. Managed about 75 total staff (55 attorneys), including six General Counsels of city law enforcement agencies. Provided legislative drafting, analysis and testimony before the D.C. City Council, such as landmark impaired driving reform and marijuana decriminalization.

### MANAGING DIRECTOR, NATIONAL CRIME PREVENTION COUNCIL

April 2009 - March 2012

Managed staff of seven at national crime prevention non-profit – home of *McGruff the Crime Dog*. Counseled on a variety of legal issues, including lobbying disclosure, ethics and intellectual property. Led the organization's government/congressional and media relations and outreach. Applied for federal and private grants, developed crime prevention policy and supervised major initiatives, such as *Celebrate Safe Communities* and the campaign against *Intellectual Property Theft*. Participated in organization fundraising and board relations.

### SOLE PRACTITIONER/LEGAL AND POLICY CONSULTANT

2000 - 2009

Counseled various clients on policy, legal and communications issues. Major projects included authoring a report on the war on terrorism for a leading civil rights group; analyzing criminal enforcement capacity for a major software company; formulating crime prevention strategies for a policy think tank and developing media strategy for a national security organization. Also served as media commentator, columnist and professor (see below).

### STAFF DIRECTOR, SENATE MINORITY COMMUNICATIONS CENTER

January 2006 - July 2006

Managed 30-person office for strategic policy development and communications and helped develop policy and message themes for 2006 campaign. Made many media appearances.

### PARTNER, VENABLE LAW FIRM

1998 - 2000

Founded the firm's Public Policy Group. Congressional relations clients included the National Juvenile Judges Association and the National Association of Drug Court Professionals, as well a diverse clientele from industries such as technology, financial services and travel agents.

### ASSISTANT U.S. ATTORNEY GENERAL, LEGISLATIVE AND INTERGOVERNMENTAL AFFAIRS, U.S. DEPARTMENT OF JUSTICE

1995 - 1998

Presidential nominated and Senate confirmed position. Served as chief spokesperson, lobbyist and strategist on Capitol Hill for DOJ and Attorney General Janet Reno. Handled extensive congressional oversight of DOJ. Oversaw a legislative and legal staff of 35; coordinated with scores more.

### U.S. ATTORNEY GENERAL'S OFFICE, U.S. DEPARTMENT OF JUSTICE

1994 - 1995

Advised and counseled the Attorney General (as staff) and Deputy (as an Assistant Deputy Attorney General) on an extensive range of policy and enforcement issues. Congressional relations advocacy for the Administration's

sponsorship of landmark legislation, such as a federal assault weapons ban, community policing and the Violence Against Women Act.

**CHIEF COUNSEL/STAFF DIRECTOR, SUBCOMMITTEE ON CRIME AND CRIMINAL JUSTICE,  
JUDICIARY COMMITTEE, U.S. HOUSE OF REPRESENTATIVES** 1989 - 1994

Lead lawyer and chief of staff for Crime Subcommittee (under Chairman Charles Schumer), which spearheaded, and mobilized support for, the enactment of the Brady Handgun Violence Protection Act, the Mandatory Minimum Safety Valve, the Auto Theft Prevention Act, the Child Support Enforcement Act and other key policy initiatives.

**DEPUTY CHIEF, MISDEMEANOR TRIAL DIVISION  
ASSISTANT U.S. ATTORNEY, WASHINGTON, D.C.** 1985-1989

Managed and trained section consisting of 30 attorneys and other staff. Played instrumental role in policy and prosecutorial decisions for Superior Court Operations. Also served as a line attorney prosecutor for criminal trial/appellate prosecution in local D.C. and federal courts and Special Proceedings Section.

**FELLOW, U.S. SENATE** 1985  
Legislative assistant to leading Senator on foreign policy and defense issues.

**DEPUTY CAMPAIGN MANAGER** 1984  
Fourth District, New York congressional campaign

**ASSISTANT STATE ATTORNEY, DADE COUNTY, FLORIDA** 1983 - 1984  
Criminal trial prosecution in Florida state courts.

**LAW CLERK, NARCOTICS AND DANGEROUS DRUG SECTION, DEPARTMENT OF JUSTICE** 1982-1983  
Legal research and writing in support of trial prosecution office

## **Teaching, Writing and Speaking Experience**

**ADJUNCT PROFESSOR, GEORGETOWN UNIVERSITY LAW CENTER**  
Instructed students on Constitutional Criminal Procedure and Trial Practice. Fall 2008, 1990 - 95

**CONTRIBUTOR TO FOX NEWS CHANNEL** 2003 - 2006 / 2011 - 2012  
Provided expert commentary/analysis on range of legal and political issues and U.S. Supreme Court nominations as Fox contributor and guest on other television networks and radio stations.

**SENIOR FELLOW, GLOBAL SECURITY.ORG** 2003 - 2009  
Provided expert commentary/analysis on legal issues involved in terrorism, homeland security and national security issues.

**COLUMNIST, THE GEORGETOWNER AND THE DOWNTOWNER** 2005 - 2009  
Columnist for two bi-weekly newspapers writing on law, politics and government.

**ADJUNCT PROFESSOR, WASHINGTON COLLEGE OF LAW** 1989 - 1991  
The American University, Legal Methods Program. First year course on lawyering skills such as case briefing, general writing, negotiations, brief writing, and oral arguments.

**COLGATE UNIVERSITY WASHINGTON PROGRAM** 2008-present  
Annual guest lecturer on government relations

**LECTURER, INSTITUTE OF POLITICS, KENNEDY SCHOOL, HARVARD UNIVERSITY** 1999  
Lectured and participated in panels on law and government issues

**LECTURER, U.S. ATTORNEY'S OFFICE TRAINING PROGRAM** 1988-1989  
Trained new AUSAs in criminal trial prosecution

**ADVISOR, GOVERNMENT OF HUNGARY** 1993  
Advised Hungarian officials on reforming criminal justice system for the American Bar Association.

## **PUBLICATIONS**

Co-Editor, "Fighting Impaired Driving in D.C.: A Response to *D.C. Disturbia*," *Criminal Law Practitioner*, Expected Fall 2014.

"Thomas Jefferson's Carriage: *Arizona v. Gant* and the Demise of the *Belton* Doctrine," Volume IV *Criminal Law Bulletin* Issue I, Washington College of Law (2010).

Blogged (2005-2010) at [www.andyspensees.blogspot.com](http://www.andyspensees.blogspot.com)

Bi-weekly column in *The Downtowner* and *The Georgetown* newspapers 2005-2009.

"Due Process for All Wizards," *Legal Times*, August 20, 2007.

"A Tribute to Congressman Frank Horton on his 80<sup>th</sup> Birthday," *Congressional Record*, January 27, 2000.

"A Reflection of Our Times: the Department of Justice," (with Ben Civiletti), *Legal Times*, Dec.20, 1999.

"A Legislative Solution to Cyber-Squatting," *Legal Times*, July 26, 1999.

"A Helpful Hand in a Federal Glove," *Legal Times*, Feb.1, 1999.

"Pols Should be Adult about Juvenile Justice," *National Law Journal*, September 22, 1998.

"Organized Crime," *U.S.A. Today*, November 1997.

"An Interview with the AAG of OLA," *U.S. Attorney's Bulletin*, Vol. 43, No. 9, Sept 1, 1995.

Criminal Practice Institute Trial Manual, co-editor (1986 ed.).

Book Review: Regulation by Prosecution, 20 *Am. Crim. L. Rev.* 2 (1982).

Federal Grand Jury Practice Manual, co-editor (1983 ed.) U.S. Department of Justice Monograph

Narcotics Newsletter, U.S. Department of Justice monthly, articles and case comments

Georgetown Law Weekly, opinion columns, movie review, campus reporting

## Education

GEORGETOWN UNIVERSITY LAW CENTER  
*American Criminal Law Review* - Staff member and editor

J.D. May 1983

UNIVERSITY OF ESSEX, U.K.  
American Government Thesis: The Berger Court and the Fourth Amendment

Master of Arts 1981

GEORGETOWN UNIVERSITY  
Major: Government; Minor: History

A.B., cum laude, 1979

## **Achievements and Awards**

DC Attorney General's Incentive Award for Best Head of Division	<b>2014</b>
Nominated by President Clinton for D.C. Superior Court	<b>2000</b>
Edmund J. Randolph Award (Justice Department highest award for service)	<b>1998</b>
Wasserstein Fellowship for Distinguished Public Service, Harvard University	<b>1996</b>
AUSA Outstanding Achievement Award	<b>1987</b>

## **Professional and Community Affiliations**

Chairman, Appointed by DC Mayor, Motor Vehicle Theft Prevention Commission	<b>2013 - 2015</b>
Member, Board of Directors, Washington Regional Alcohol Program	<b>2013 - present</b>
Member, Board of Directors, Catholic Coalition for Special Education	<b>2012 - present</b>
Member, Board of Directors, National Association of Children of Addiction	<b>2016 - 2017</b>
Church Parish Council	<b>2004 - 2006</b>
Founding Member, Executive Committee, Disabilities Ministry	<b>2004 - 2010</b>
Co-Chairman, D.C. Coalition Against Drugs and Violence	<b>1994 - 1998</b>

## **Bar Memberships**

Florida (1983), New York (1984), D.C. (1985), the U.S. District Court for D.C., the U.S. Court of Appeals for the D.C. Circuit, the U.S. Supreme Court.





Executive Office of the Mayor - Office of Talent and Appointments  
John A. Wilson Building | 1350 Pennsylvania Avenue, Suite 600 | Washington, DC 20004

## Andrew Fois



Andrew Fois is an attorney with a thirty-five year career in public service, the non-profit sector and private practice. He is presently employed as an attorney advisor in the Office of Legislative Affairs in the Administrative Office of U.S. Courts. Prior to that position, he was the Deputy Attorney General for Public Safety in the Office of the Attorney General for Washington, D.C. He has worked for the National Crime Prevention Council, as a solo practitioner and as a partner in the Venable law firm. He has served in the Department of Justice on two occasions: as the Assistant Attorney General for Legislative Affairs and as an Assistant United States Attorney for the District. His experience on Capitol Hill includes service as the Chief Counsel of the House Judiciary Committee's Subcommittee on Crime and Director of the Senate Democratic Communications Center.

Mr. Fois serves on the board of directors of the Catholic Coalition for Special Education and the Washington Regional Alcohol Program and has previously served on the board of the National Association of Children of Addiction. He served as Chairman of the D.C. Commission on Motor Vehicle Theft Prevention and the D.C. Coalition against Drugs and Violence. He is active in his church as a lector, Eucharistic Minister and member of the parish council. He was a founding member of the parish disabilities ministry.

Mr. Fois has been a frequent commentator on television and radio including as a contributor to the Fox News Channel. He is published widely on legal and political issues.

A Ward 3 resident, Mr. Fois earned his Juris Doctor from the Georgetown University Law Center and his Bachelor of Arts from Georgetown University. He also has a master's degree in American government from the University of Essex in the U.K.



GOVERNMENT OF THE DISTRICT OF COLUMBIA  
Executive Office of Mayor Muriel Bowser



Office of the General Counsel to the Mayor

**To:** Gianelle Rivera, Steve Walker  
**From:** Betsy Cavendish  
**Date:** November 8, 2019  
**Subject:** Legal sufficiency review of Resolutions nominating Patrick Canavan, Phylisa Carter, Samuel Whittaker, and Andrew Fois to the Clemency Board

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**This is to Certify** that this office has reviewed the above-referenced legislation and found it to be legally unobjectionable. If you have any questions in this regard, please do not hesitate to call me at 202-724-7681.

A handwritten signature in black ink that reads 'Elizabeth A. Cavendish'.

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Elizabeth Cavendish