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DISTINGUISHED UNIVERSITY PROFESSOR

&

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EDUCATION

Master of Law, 1975, University of Virginia.

Master of Science in Forensic Science, 1973, George Washington University.

Juris Doctor, 1970, University of Virginia.

Articles Editor, *Virginia Law Review*, 1969-70;
Editorial Board, *Virginia Law Review*, 1968-69.

Bachelor of Arts, 1967, Providence College.

Summa cum laude;
Arts Honors Program;
President, Student Government.

Fellow, Forensic Medicine Program, 1973, Armed Forces Institute of Pathology,
Washington, DC.

HONORS

Lifetime Achievement Award, National Italian American Bar Association, 2013.

Legal Educator Award, Ohio State Bar Association, 2005.

Fellow, American Academy of Forensic Sciences.

Teacher of the Year. Class of 2001 Graduation.

Teacher of the Year. Class of 1998 Graduation.

Teacher of the Year. C.W.R.U. Law School Alumni Association, 1995.

Society of Benchers. 2004.

BAR AFFILIATIONS

United States Supreme Court, 1973.
Supreme Court of Ohio, 1987.
Virginia Supreme Court of Appeals, 1970.
United States Court of Appeals for the Armed Forces, 1970.

PROFESSIONAL ACTIVITIES

Commissioner, National Commission on Forensic Science, Department of Justice (2014 - present).

Co-chair, American Bar Association, Ad Hoc Innocence Committee to Ensure the Integrity of the Criminal Process (2002-06).

Reporter, American Bar Association, Criminal Justice Standards on Biological Evidence (DNA) (2002-07).

Reporter, Study Committee on DNA Evidence, National Conference of Commissioners on Uniform State Laws (2007).

ABA Adviser, Drafting Committee on Electronic Recordation of Custodial Confessions, National Conference of Commissioners on Uniform State Laws (2008-10).

Member, National Academy of Sciences, Bullet Lead Elemental Composition Comparison Committee (2004) (funded by F.B.I.).

Editorial Board, ABA Section of Criminal Justice, *Criminal Justice* (1999 - present).

Advisory Council, National Clearinghouse for Science, Technology and Law (National Institute of Justice project) (2004-10).

Member, National Academy of Sciences Planning Group on DNA project (June 1993).

Reviewer, National Research Council, National Academy of Sciences, *The Evaluation of Forensic DNA Evidence* (1996).

Reviewer, National Research Council, National Academy of Sciences, *The Polygraph and Lie Detection* (2002)

Reviewer, National Research Council, *National Academy of Sciences, Strengthening Forensic Science in the United States: A Path Forward* (2009)

Consultant for plaintiff, *Daubert v. Merrell Dow Pharmaceuticals, Inc.*, 509 U.S. 579 (1993).

Consultant, Federal Judicial Center, *Reference Manual on Scientific Evidence* (1994 & 2d ed.).

Author, “Forensic Science” column, *Criminal Law Bulletin* (1991 - 2012).

Author, “Scientific Evidence” column, *Criminal Justice* (2001 - present).

Chairperson, Evidence Section, Association of American Law Schools (1984-85); Executive Committee, Evidence Section (1982-85).

Counsel for Rules of Evidence, Ohio Supreme Court Rules Advisory Committee (1990 - 2000).

Ohio Supreme Court Rules Advisory Committee (1985-88).

Special Counsel, Joint Select Evidence Committee, Ohio General Assembly (1978-79).

Author, *Public Defender Reporter* (1978 - 2000). Quarterly publication of the Cuyahoga County Public Defender Office.

PROFESSIONAL EXPERIENCE

Distinguished University Professor, Case Western Reserve University, 2011.

Weatherhead Professor, C.W.R.U. School of Law, 1987; Professor, 1979; Associate Professor, 1977; Assistant Professor, 1975.

Subjects: Evidence, Scientific Evidence, Wrongful Convictions Seminar, Advanced Evidence Seminar, Criminal Procedure, Criminal Process, Criminal Law, Capital Punishment Seminar, Juvenile Law, Corrections & Prisoners’ Rights Seminar, and Trial Practice.

Assistant Professor, Criminal Law Division, The Judge Advocate General’s School, Charlottesville, VA, 1973-75; Army Commendation Medal (1975); Reserve Service 1975-87; Meritorious Service Medal (1987).

Fellow, Forensic Medicine Program, Armed Forces Institute of Pathology, & George Washington University Forensic Science Program, 1972-73.

Prosecutor, General Courts-Martial Jurisdiction, & Chief, Foreign Criminal Jurisdiction, U.S. Army Support, Thailand, 1971-72; Army Commendation Medal (1972).

Defense Counsel, General Courts-Martial Jurisdiction, Fort Devens, MA, 1970-71; Army Commendation Medal (1971).

Prosecutor, Special Courts-Martial Jurisdiction, 82nd Airborne Division, Fort Bragg, NC, 1968-70 (summers).

MEMBERSHIP AFFILIATIONS

American Bar Association (Sections on Criminal Justice, Litigation, Science & Technology Law, Legal Education & Admissions to Bar).

Ohio State Bar Association.

Fellow, American Academy of Forensic Sciences.

PUBLICATIONS

BOOKS

UNDERSTANDING EVIDENCE (Lexis Co. 4th ed. 2013).

UNDERSTANDING EVIDENCE: FEDERAL AND CALIFORNIA RULES (2014).

EVIDENCE: CASES AND MATERIALS (West Co. 8th ed. 2013) (with Broun & Mosteller).

PROBLEMS IN EVIDENCE (West Co. 5th ed. 2011) (with Broun & Mosteller).

SCIENTIFIC EVIDENCE (Lexis Co. 5th ed. 2012) (with Imwinkelried, Roth & Moriarty) (2 volumes & annual supplement).

COURTROOM CRIMINAL EVIDENCE (Lexis Co. 5th ed. 2011) (with Imwinkelried, Gilligan & Lederer) (2 volumes & annual supplement).

BALDWIN'S OHIO PRACTICE, CRIMINAL LAW (West Co. 3d. ed. 2009) (with Katz, Blair, Lipton & Crocker) (4 volumes & annual supplement).

OHIO CRIMINAL LAWS AND RULES (West Co. 2014 edition) (with Katz).

OHIO JUVENILE LAW (West Co. 2014 edition) (with Salvador).

BALDWIN'S OHIO PRACTICE, EVIDENCE (West Co. 3d ed. 2010) (2 volumes & annual supplement).

OHIO EVIDENCE HANDBOOK (West Co. 2014 edition).

OHIO TRIAL OBJECTIONS (West Co. 2009-10 edition).

QUESTIONS & ANSWERS: EVIDENCE (3d ed. 2013) (with Leonard).

REPORT OF THE ABA CRIMINAL JUSTICE SECTION'S AD HOC INNOCENCE COMMITTEE TO ENSURE THE INTEGRITY OF THE CRIMINAL PROCESS, *ACHIEVING JUSTICE: FREEING THE INNOCENT, CONVICTING THE GUILTY* (Paul C. Giannelli & Myrna Raeder eds. 2006).

AMERICAN BAR ASSOCIATION CRIMINAL JUSTICE STANDARDS TASK FORCE ON DNA EVIDENCE (2007) (Reporter).

LAW REVIEW ARTICLES

The Admissibility of Novel Scientific Evidence: Frye v. United States, A Half-Century Later, 80 COLUMBIA LAW REVIEW 1197 (1980), excerpted in *An Evidence Anthology* (1996).

Ake v. Oklahoma: The Right to Expert Assistance in Post-Daubert, Post-DNA World, 89 CORNELL LAW REVIEW 1305 (2004).

Prison Searches and Seizures: "Locking" the Fourth Amendment Out of Correctional Facilities, 62 VIRGINIA LAW REVIEW 1045 (1976) (with Gilligan).

Criminal Discovery, Scientific Evidence, and DNA, 44 VANDERBILT LAW REVIEW 791 (1991), reprinted in 4 CRIMINAL PRACTICE LAW REVIEW 199 (1992).

Wrongful Convictions and Forensic Science: The Need to Regulate Crime Labs, 86 NORTH CAROLINA LAW REVIEW 163 (2007).

Prosecutors, Ethics, and Expert Witnesses, 76 FORDHAM LAW REVIEW 1493 (2007) (with McMunigal).

Daubert and Forensic Science: The Pitfalls of Law Enforcement Control of Scientific Research, 2011 UNIVERSITY OF ILLINOIS LAW REVIEW 53.

Breast Implants Revisited: Beyond Science on Trial, 1997 WISCONSIN LAW REVIEW 705 (with Dresser & Wagner).

Polygraph Evidence After Daubert, 49 HASTINGS LAW JOURNAL 895 (1998).

The Abuse of Scientific Evidence in Criminal Cases: The Need for Independent Crime Laboratories, 4 VIRGINIA JOURNAL OF SOCIAL POLICY & LAW 439 (Spring 1997).

"Junk Science": The Criminal Cases, 84 JOURNAL OF CRIMINAL LAW & CRIMINOLOGY 105

- (1993) (Northwestern University).
- The Admissibility of Laboratory Reports in Criminal Trials: The Reliability of Scientific Proof*, 49 OHIO STATE LAW JOURNAL 671 (1988), excerpted in An Evidence Anthology (1996) & reprinted in 1 CRIMINAL PRACTICE LAW REVIEW 587 (1989).
- Chain of Custody and the Handling of Real Evidence*, 20 AMERICAN CRIMINAL LAW REVIEW 527 (1983) (Georgetown University).
- Forensic Science Reform*, 90 TEXAS LAW REVIEW See Also 29 (2011).
- Junk Science and the Execution of an Innocent Man*, 7 NYU J. LAW & LIBERTY 221 (2013).
- Confrontation, Experts, And Rule 703*, 20 JOURNAL OF LAW & POLICY 443 (2012).
- Regulating DNA Laboratories: The New Gold Standard*, __ N.Y.U Annual Survey of American Law __ (2014) (forthcoming).
- Regulating Crime Laboratories: The Impact of DNA Evidence*, 14 JOURNAL OF LAW & POLICY 59 (2007) (solicited for science for judges program).
- Daubert: Interpreting the Federal Rules of Evidence, 15 CARDOZO LAW REVIEW 1999 (1994) (scientific evidence symposium).
- The Supreme Court's "Criminal" Daubert Cases*, 33 SETON HALL LAW REVIEW 1071 (2003) (scientific evidence symposium).
- The DNA Story: An Alternative View*, 88 JOURNAL OF CRIMINAL LAW & CRIMINOLOGY 380 (1997) (Northwestern University) (Harlan Levy, And the Blood Cried Out: A Prosecutor's Spellbinding Account of the Power of DNA (1996))(book review essay).
- Scientific Evidence in Civil and Criminal Cases*, 33 ARIZONA STATE LAW JOURNAL 103 (2001) (scientific evidence symposium).
- The Proposed Ohio Rules of Evidence: The General Assembly, Evidence, and Rulemaking*, 29 CASE WESTERN RESERVE LAW REVIEW 16 (1978).
- Scientific Evidence: A Proposed Amendment to Federal Rule 702*, 26 JURIMETRICS JOURNAL 260 (Spring 1986), reprinted at 115 F.R.D. 102 (1987).
- Ballistics Evidence: Firearms Identification*, 27 CRIMINAL LAW BULLETIN 195 (1991).
- The New York Stock Exchange Minimum Commission Rate Structure: Antitrust on Wall Street*, 55 VIRGINIA LAW REVIEW 661 (1969) (student note).

SCIENTIFIC JOURNALS

Forensic Science, 33 JOURNAL OF LAW, MEDICINE & ETHICS 535 (2005) (American Society of Law, Medicine & Ethics).

Crime Labs Need Improvement, 20 ISSUES IN SCIENCE AND TECHNOLOGY 55 (Fall 2003) (National Academy of Science).

Defense Tactics in DNA Litigation, 2 PROFILES IN DNA 10 (1999).

The Admissibility of Hypnotic Evidence in U.S. Courts, 43 INTERNATIONAL JOURNAL OF CLINICAL AND EXPERIMENTAL HYPNOSIS 212 (1995).

DNA Evidence: Some Initial Impressions, 3 NEW BIOLOGIST 309 (April 1991).

Evidentiary and Procedural Rules Governing Expert Testimony, 34 JOURNAL FORENSIC SCIENCES 730 (1989).

Legal Aspects of Obtaining Evidence for Analysis by Forensic Techniques, 19 JOURNAL FORENSIC SCIENCES 428 (1974).

EDITORIALS

When the Evidence Is a Matter Of Life And Death, New York Times, Week in Review Op-Ed, August 21, 1994, p. E15.

REPORTS

NATIONAL RESEARCH COUNCIL, FORENSIC ANALYSIS: WEIGHING BULLET LEAD EVIDENCE (National Academy of Sciences 2004).

AMERICAN BAR ASSOCIATION CRIMINAL JUSTICE STANDARDS TASK FORCE ON DNA EVIDENCE (2007) (Reporter).

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Working Papers, No. 1: The Authority of the Supreme Court of Ohio to Prescribe Rules of Evidence (Nov. 1978). Prepared for the Joint Select Evidence Committee, Ohio General Assembly.

Working Papers, No. 2: An Analysis of the Proposed Ohio Rules of Evidence (Nov. 1978). Prepared for the Joint Select Evidence Committee, Ohio General Assembly.

Due Process Rights of Prisoners (April 1978). Prepared for the Ohio Department of Rehabilitation and Corrections.

CHAPTERS & ARTICLES IN BOOKS

Forensic Identification Science, in FEDERAL JUDICIAL CENTER & NATIONAL ACADEMY OF SCIENCES, REFERENCE MANUAL ON SCIENTIFIC EVIDENCE (3d ed. 2011).

DNA Profiling, in “AND JUSTICE FOR ALL?” LESSONS LEARNED FROM THE DUKE UNIVERSITY LACROSSE PLAYERS’ RAPE CASE 323 (Michael Seigel, ed. 2009).

The Daubert Trilogy and the Law of Expert Testimony, in EVIDENCE STORIES (Lempert ed. 2006).

DNA Databanks, in 1 ENCYCLOPEDIA OF ETHICAL, LEGAL & POLICY ISSUES IN BIOTECHNOLOGY 413 (T. Murray & M. Mehlman eds. 2000)(John Wiley & Sons, Inc.)(with Hoffman & Wagner).

Scientific Evidence, in ENCYCLOPEDIA OF CRIME AND JUSTICE (2d ed. J. Dressler & D. Denno eds. 2001) (MacMillan Publishers)(with Imwinkelried).

Writ of Certiorari, Confession, Ex Post Facto, Larceny, & Mandamus, WORLD BOOK ENCYCLOPEDIA (1990).

The Frye Test, in PRACTISING LAW INSTITUTE, SCIENTIFIC AND EXPERT EVIDENCE IN CRIMINAL ADVOCACY (2d ed. 1981).

SYMPOSIA AND INVITED PAPERS

Forensic Science: Why No Research?, 38 FORDHAM URBAN LAW JOURNAL 503 (2011).

The NRC Report and Its Implications For Criminal Litigation, 50 JURIMETRICS J. 53 (2009).

Independent Crime Laboratories: The Problem of Motivational and Cognitive Bias, 2010 UTAH LAW REVIEW 247 (symposium).

Scientific Evidence in Criminal Prosecutions: A Retrospective, 75 BROOKLYN LAW REVIEW 1137 (2010) (symposium in honor of Margaret Berger).

Forensic Science and the ABA Innocence Report, 37 SOUTHWESTERN LAW REVIEW 993 (2008). (innocence symposium).

Forensic Science: Under the Microscope, 34 OHIO NORTH. U. L. REV. 315 (2008) (dean’s lecture).

- Brady and Jailhouse Snitches*, 57 CASE WESTERN RESERVE LAW REVIEW 593 (2007) (symposium).
- Admissibility of Scientific Evidence*, 28 OKLAHOMA CITY LAW REVIEW 1 (2003).
- Scientific Evidence in the Sam Sheppard Case*, 49 CLEVELAND STATE UNIVERSITY LAW REVIEW 487 (2001) (Sam Sheppard case symposium).
- Impact of Post-Conviction DNA Testing in Forensic Science*, 35 NEW ENGLAND LAW REVIEW 627 (2001)(DNA exoneration symposium).
- Expert Testimony and the Confrontation Clause*, 21 CAPITAL UNIVERSITY LAW REVIEW 45 (1993) (Sullivan Lecture Symposium).
- Scientific Evidence in Criminal Prosecutions*, 137 MILITARY LAW REVIEW 167 (1992) (21st Annual Hodson Lecture).
- Observations on Discovery of Scientific Evidence*, in Symposium on Science and the Rules of Legal Procedure, 101 FEDERAL RULES DECISIONS 599, 622 (1984) (National Conference of Lawyers and Scientists, American Bar Association & American Association for Advancement of Science).
- Frye v. United States*, in Symposium on Science and Rules of Evidence, 99 FEDERAL RULES DECISIONS 187, 189 (1983) (National Conference of Lawyers and Scientists, American Bar Association & American Association for Advancement of Science).

BOOK REVIEWS

- 52 JURIMETRICS JOURNAL 107 (Fall 2011) (Kaye, *The Double Helix and the Law of Evidence* (2010)).
- 43 JURIMETRICS JOURNAL 243 (Winter 2003) (Redmayne *Expert Evidence and Criminal Justice* (Oxford University Press 2001)).
- 15 ABA CRIMINAL JUSTICE 34 (Fall 2000) (Taslitz, *Rape and the Culture of the Courtroom* (1999)).
- 15 ABA CRIMINAL JUSTICE 56 (Summer 2000) (Scheck, Neufeld & Dwyer, *Actual Innocence* (2000)).
- 19 JOURNAL OF LEGAL MEDICINE 463 (1998) (Wecht, *Forensic Sciences* (1998)).
- 49 BROOKLYN LAW REVIEW 629 (1983) (Weinstein, Mansfield, Berger & Abrams, *Cases and Materials on Evidence*).

OTHER ARTICLES

The National Academy of Sciences Report: A Challenge to Forensic Science, 24 Criminal Justice 4 (Winter 2010).

ABA Standards on DNA Evidence: Nontestimonial Identification Orders, 24 Criminal Justice 24 (Spring 2009).

Convicting the Guilty, Acquitting the Innocent: Recently Adopted ABA Policies, 20 ABA Criminal Justice 14 (Winter 2006) (with Raeder and Taslitz).

Admissibility of Lab Reports: The Right of Confrontation Post-Crawford, 19 ABA Criminal Justice 26 (Fall 2004).

The Right to Defense Experts, 18 ABA Criminal Justice 15 (Summer 2003).

Scientific Evidence: The Fallout from the U.S. Supreme Court's Decision in Kumho Tires, 14 ABA Criminal Justice 12 (Winter 2000)(with Imwinkelried).

Daubert and Forensic Science, 1 Shepard's Expert and Scientific Evidence Quarterly 457 (1994).

Syndrome Evidence, 14 Forum 13 (July-August 1988), reprinted in 12 Champion 8 (May 1988); 11 The Defender 3 (April 1989); 12 Criminal Defense Newsletter 1 (October 1988) (with Mitchell).

Depositions in Criminal Practice, 11 Criminal Defense 12 (January- February 1984)(National College for Criminal Defense).

Stipulations in Criminal Cases, 10 Criminal Defense 4 (May-June 1983)(with Imwinkelried).

Prison Searches After Bell v. Wolfish, 7 Search and Seizure Law Report (1980).

Jail and Prison Searches, 4 Search and Seizure Law Report (1977).

ABA CRIMINAL JUSTICE: SCIENTIFIC EVIDENCE COLUMN

Closing Argument, 29 Criminal Justice __ (Fall 2014) (forthcoming).

FBI Review of Microscopic Hair, 29 Criminal Justice 68 (Summer 2014).

Nassau County Crime Lab Scandal, 29 Criminal Justice 68 (Spring 2014).

Judicial Declaration of Expertise, 28 Criminal Justice 68 (Fall 2013).

“Ballistics” Redux, 28 Criminal Justice 47 (Summer 2013).

Government Interference, 27 Criminal Justice 40 (Winter 2013).

The Confrontation Clause and Experts, 27 Criminal Justice 55 (Fall 2012).

The N.C. Crime Lab Scandal, 27 Criminal Justice 43 (Spring 2012).

Ineffective Assistance of Counsel and Expert Testimony, 26 Criminal Justice 49 (Winter 2012).

Daubert and Criminal Prosecutions, 26 Criminal Justice 61 (Fall 2011).

Misleading Expert Testimony, 26 Criminal Justice 50 (Spring 2011).

Ballistics Evidence Under Fire, 25 Criminal Justice 50 (Fall 2010).

Cognitive Bias in Forensic Science, 25 Criminal Justice 61 (Summer 2010).

“Reasonable Scientific Certainty”: *A Phrase in Search of a Meaning*, 25 Criminal Justice 61 (Spring 2010).

Right of Confrontation: Lab Reports, 24 Criminal Justice 24 (Fall 2009).

Daubert Factors, 23 Criminal Justice 24 (Winter 2009).

Duke Lacrosse Rape Case, 23 Criminal Justice 54 (Fall 2008).

Comparative Bullet Lead Analysis, 23 Criminal Justice 24 (Summer 2008).

The Innocent Man, 22 Criminal Justice 50 (Winter 2008).

Confirmation Bias, 22 Criminal Justice (Fall 2007).

Bench Notes and Lab Reports, 22 Criminal Justice 50 (Summer 2007).

Bite Mark Evidence, 22 Criminal Justice 52 (Spring 2007).

Firearms Identification (“Ballistics”), 21 Criminal Justice 52 (Winter 2007).

Alchemy, Magic, and Forensic Science, 21 Criminal Justice 52 (Fall 2006).

Houston! We Have a Problem, 21 Criminal Justice 52 (Summer 2006).

Compositional Analysis of Bullet Lead: A Cautionary Tale, 21 Criminal Justice 52 (Spring 2006).

Modus Operandi Experts, 20 Criminal Justice 60 (Fall 2005).

Fingerprints: Misidentifications, 20 Criminal Justice 50 (Spring 2005).

Mitochondrial DNA, 19 Criminal Justice 54 (Winter 2005).

Expert Qualifications: Who Are These Guys?, 19 Criminal Justice 55 (Spring 2004).

Youngblood Innocent!, 18 Criminal Justice 56 (Winter 2004).

Everything That's Wrong – In One Case, 18 Criminal Justice 54 (Fall 2003).

The “Science” of Wrongful Convictions, 18 Criminal Justice 55 (Spring 2003).

Splitting Hairs in the Shadow of the Gallows, 17 Criminal Justice 30 (Winter 2003).

Daubert “Unbound”, 17 Criminal Justice 55 (Fall 2002).

Fingerprints Challenged, 17 Criminal Justice 33 (Spring 2002).

Fabricated Reports, 16 Criminal Justice 40 (Winter 2002).

False Credentials, 16 Criminal Justice 40 (Fall 2001).

CRIMINAL LAW BULLETIN: FORENSIC SCIENCE COLUMN

Forensic Experts and Ineffective Assistance of Counsel, 48 Crim. L. Bull. 1360 (2012) (with Antonucci).

The 2009 NAS Forensic Science Report: A Literature Review, 48 Crim. L. Bull. 378 (2012).

Arson Evidence, 47 Crim. L. Bull. 1241 (2011) (with Gawel).

Comparative Bullet Lead Analysis: A Retrospective, 47 Crim. L. Bull. 306 (2011).

Scientific Fraud, 46 Crim. L. Bull. 1313 (2010).

Microscopic Hair Comparisons: A Cautionary Tale, 46 Crim. L. Bull. 531 (2010).

The National Academy of Sciences' Forensics Report, 45 Crim. L. Bull. 1109 (2009).

Scientific Evidence and Prosecutorial Misconduct in the Duke Lacrosse Rape Case, 45 Crim. L. Bull. 665 (2009).

Pretrial Discovery of Expert Testimony, 44 Crim. L. Bull. 943 (2008).

Nontestimonial Orders For DNA Testing, 44 Crim. L. Bull. 590 (2008).

Bite Mark Analysis, 43 Crim. L. Bull. 930 (2007).

Daubert Challenges to Firearms (“Ballistics”) Identifications, 43 Crim. L. Bull. 548 (2007).

Daubert Challenges to Fingerprints, 42 Crim. L. Bull. 624 (2006).

Daubert Challenges to Handwriting Comparisons, 42 Crim. L. Bull. 347 (2006) (with Cozza).

Daubert Revisited, 41 Crim. L. Bull. 302 (2005).

Fingerprints, 38 Crim. L. Bull. 642 (2002)(with Imwinkelried).

Hair Comparison Evidence, 37 Crim. L. Bull. 514 (2001)(with West).

Expert Qualifications, 36 Crim. L. Bull. 249 (2000).

Forensic Science: Handwriting Comparison, 35 Crim. L. Bull. 517 (1999) (with Imwinkelried).

Daubert in the States, 34 Crim. L. Bull. 154 (1998).

Rape Trauma Syndrome, 33 Crim. L. Bull. 270 (1997).

Chain of Custody, 32 Crim. L. Bull. 447 (1996).

Seizing Evidence From Suspects For Forensic Analysis, 31 Crim. L. Bull. 161 (1995).

Polygraph Evidence: Part II, 30 Crim. L. Bull. 366 (1994).

Polygraph Evidence: Part I, 30 Crim. L. Bull. 262 (1994).

Frye, Daubert, and the Federal Rules, 29 Crim. L. Bull. 428 (1993).

Hypnotic Evidence, 29 Crim. L. Bull. 262 (1993).

Dental and Bite Mark Evidence, 28 Crim. L. Bull. 276 (1992).

Gunshot Residue Tests, 27 Crim. L. Bull. 538 (1991).

PUBLIC DEFENDER REPORTER

United States Supreme Court: 2001 Term, 23 Public Defender Rptr. (Fall 2001).

“Other Acts” Evidence: Part II, 23 Public Defender Rptr. (Summer 2001).

“Other Acts” Evidence: Part I, 23 Public Defender Rptr. (Spring 2001).

Character Evidence, 23 Public Defender Rptr. (Winter 2001).

United States Supreme Court: 2000 Term, 22 Public Defender Rptr. (Fall 2000).

The Ex Post Facto Clause, 22 Public Defender Rptr. (Summer 2000).

New Developments in Scientific Evidence, 22 Public Defender Rptr. (Spring 2000).

Ohio’s DNA Databank Statute, 22 Public Defender Rptr. (Winter 2000).

United States Supreme Court: 1999 Term, 21 Public Defender Rptr. (Fall 1999).

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Impeachment: Evidence Amendments, 21 Public Defender Rptr. (Winter 1999).

United States Supreme Court: 1997-98 Term, 20 Public Defender Rptr. (Fall 1998).

Double Jeopardy: “Same Offense”, 20 Public Defender Rptr. (Summer 1998).

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Hearsay: Traps & Problem Issues, 20 Public Defender Rptr. (Winter 1998)

United States Supreme Court: 1996-97 Term, 19 Public Defender Rptr. (Fall 1997).

Joinder & Severance of Offenses, 19 Public Defender Rptr. (Summer 1997).

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Closing Argument: Prosecution Misconduct, 19 Public Defender Rptr. (Winter 1997).

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United States Supreme Court: 1995-96 Term, 18 Public Defender Rptr. (Summer 1996).

Self-Defense, 18 Public Defender Rptr. (Spring 1996).

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Juvenile Court Bindover Hearings, 17 Public Defender Rptr. (Summer 1994).

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“Other Acts” & Character Evidence: Part II, 15 Public Defender Rptr. (Summer 1992).

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United States Supreme Court: 1990-91 Term, 15 Public Defender Rptr. (Winter 1992).

Rules of Evidence Amendments, 14 Public Defender Rptr. (Fall 1991).

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Authentication, 14 Public Defender Rptr. (Spring 1991).

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Hearsay: Part IV, 13 Public Defender Rptr. (Fall 1990).

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U.S. Supreme Court: The 1988-1989 Term, 12 Public Defender Rptr. (Fall 1989).

Expert Witnesses, 12 Public Defender Rptr. (Summer 1989).

Impeachment of Witnesses: Part II, 12 Public Defender Rptr. (Spring 1989).

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U.S. Supreme Court: The 1987-88 Term (Pt. II), 11 Public Defender Rptr. (Fall 1988).

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Bite Mark Evidence, 9 Public Defender Rptr. (July-August 1986).

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The Law of Confessions: Part II, 9 Public Defender Rptr. (March-April 1986).

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The New Sentencing Law, 6 Public Defender Rptr. (May-June 1983).

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The Ohio Bill of Rights, 1 Public Defender Rptr. (Sept. 1978).

Eyewitness Identifications, 1 Public Defender Rptr. (May 1978).

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LECTURES, PANELS, WORKSHOPS

“Report on Pretrial Discovery,” National Commission on Forensic Science, U.S. Department of Justice, Washington, D.C., Oct. 29, 2014.

“Impact of DNA Profiling in Criminal Prosecutions,” Barrister’s Lecture, Cleveland, Oct. 18, 2014.

“Regulation and Oversight of DNA Laboratories,” DNA Evidence, NYU Annual Survey of American Law, New York, February 22, 2013.

“Experts and Confrontation,” Annual ABA Conference on Forensic Science, Fordham Law School, New York, June 7, 2013.

Forensic Science, NAS Report and *Daubert*, Federal Judicial Center’s National Workshop for District Judges, Boston, April 30, 2012.

Panel, American Academy of Forensic Sciences, Atlanta, Feb. 23, 2012.

NAS Forensic Science Report, ABA Conference, Fordham Law School, New York, June 1, 2012.

Litigating *Daubert* Challenges, Ohio Assoc. Crim. Defense Lawyers, Capital Defense Seminar, Columbus, Ohio, Nov. 16, 2011.

Expert Witnesses and Confrontation, *Crawford* and Beyond: Part III, Brooklyn Law School,

Brooklyn, N.Y., Nov. 11, 2011.

Moderator, Ethics in Criminal Cases, ABA Conference, Fordham Law School, June 3, 2011, New York.

Interview, along with Wendy Wagner, Texas Law School, on Public Radio, WCPN Sound of Ideas, May 9, 2011.

Co-presenter with Wendy Wagner, Texas Law School, gave a lecture of “Bending Science,” Science Café, May 9, 2011, Cleveland.

National Academy of Sciences Forensics Report, Texas Prosecutors Conference, April 8, 2011, Palin, Texas.

ABA Criminal Justice Section, Prescriptions Criminal Justice Forensics, Fordham L. School, June 4, 2010.

Fidler Institute on Criminal Justice, Loyola Law School, L.A., April 9, 2010.

Department of Justice, National Symposium on Indigent Defense, Wash. D.C., February 19, 2010.

Admissibility Issues after the National Academy of Sciences Report, American Academy of Forensic Sciences, Seattle, February 25, 2010.

Testified before the Senate Judiciary Committee concerning the National Academy of Science’s forensics report, Washington, D.C., Sept. 9, 2009.

Saferstein Memorial Lecture, Northeastern University, Boston, Sept. 25, 2009.

Forensic Science for the 21 Century, Center for the Study of Law, Science, & Technology, Arizona State University, Phoenix, April 3-4, 2009.

Future of the Forensic Sciences: A Symposium, Cleveland-Marshall College of Law, Mar. 19, 2009.

“Forensic Science Paradox,” Association of American Law Schools Conference on Evidence, Cleveland, June 4, 2008.

“Scientific Evidence,” Cuyahoga County Public Defender, Cleveland, May 14, 2008.

“*Daubert* and Pattern Evidence,” American Academy of Forensic Sciences, February 22, 2007.

“Forensic Science and the ABA Innocence Report,” Innocence Conference, Southwestern Law

School, Los Angeles, February 8, 2008.

“Implementing Scholarship,” Association of American Law Schools Annual Meeting, New York, January 5, 2008.

Consultant, National Academy of Sciences, Forensic Science Committee, Washington, D.C., April 24, 2007.

“Forensic Science,” Innocence Network Conference, Harvard University, Boston, March 24, 2007.

“Legal Trends in the Admissibility of Forensic Evidence,” Forensic Bioinformatics, 5th Annual DNA Conference, Dayton, August 12, 2006.

Impeachment of Experts, SEAK 15th Annual National Expert Witness Conference, Hyannis, MA., June 23, 2006.

Forensic Science and the Law: Reform Proposal in Light of the Advent of DNA Evidence, DNA Fingerprinting and Civil Liberties, American Society of Law, Medicine & Ethics, Boston, May 12, 2006.

Forensic Science, Forensic Science and Law Conference, Duquesne University, Pittsburgh, April 21, 2006.

Universal DNA Databases, ABA Criminal Justice Section, Napa Valley, CA, April 28, 2006.

Scientific Evidence, Commission on Forensic Science and Public Policy, American Judicature Society, Greensboro, NC, March 31, 2006.

Scientific Evidence, Capital Defense Seminar, Cleveland, OH, March 23, 2006.

Forensic Laboratories: Current Issues and Standards, Science for Judges VIII, Center for Health, Science and Public Policy, Brooklyn Law School, March 4, 2006.

“DNA Evidence,” Association of the Bar of the City of New York, New York, April 22, 2005.

“The CSI Effect: DNA & All Things Forensic,” Knight Center for Specialized Journalism, University of Maryland, College Park, April 21, 2005.

“Abuses of Scientific Evidence,” National Defender Investigator Association Training Conference, Chicago, April 1, 2005.

“Admissibility of Scientific Evidence,” American Society of Forensic Odontology, New Orleans, February 22, 2005.

“Legal Issues,” American Society of Crime Laboratory Directors, New Orleans, Feb. 26, 2005.

Admissibility of Scientific & Expert Testimony,” Ohio Prosecuting Attorneys Association, Cedar Point, Ohio, June 25, 2005.

“Scientific Evidence,” & panel, “Forensic Science,” Northwestern Law School, Short Course for Prosecutors and Defense Attorneys, July 27, 2005, Chicago.

“ABA Resolutions on Forensic Science,” Science & Law Conference, St. Petersburg, Fla., September 12-13, 2005.

ABA and Forensic Science, Association of Crime Laboratory Directors, Phoenix, October 25, 2005.

Innocence: Forensic Science, ABA Criminal Justice Section CLE, Baltimore, November 4, 2005.

“Legal Issues & Forensic Science,” American Society of Law, Medicine & Ethics, Conference on DNA and Fingerprinting and Civil Liberties, Kennedy School of Government, Harvard University, Sept. 17, 2004.

“The ABA’s Role in Eliminating Erroneous Convictions,” ABA Annual Meeting, Atlanta, August 7, 2004.

“Hearsay and Privilege,” Ohio Prosecuting Attorneys Association, Cleveland, September 25, 2003.

“Admissibility of Scientific Evidence,” Oklahoma City Law School Symposium on Expert Testimony, March 6, 2003.

“The Supreme Court’s “Criminal” Daubert Cases,” Seton Hall Law School Scientific Evidence Symposium, Newark, February, 21, 2003.

“Scientific Evidence,” Evidence Section, Association of American Law Schools, Washington, D.C., January, 3, 2003.

“Legal and Ethical Duties to Disclose Scientific Evidence,” Department of Justice, Science and the Law Program,, Miami, October 4, 2002.

“Effective Teaching Techniques,” Conference on Evidence, Association of American Law Schools, Alexandria, Virginia, June 2002.

“Admissibility of fingerprint evidence,” National Academy of Sciences’ “Science, Technology & Law Program,” Washington, D.C., Feb. 21, 2000.

- “Right to defense experts,” American Academy of Forensic Sciences, Atlanta, Feb. 14, 2002.
- “Admissibility of scientific evidence,” Illinois Association of Criminal Defense Lawyers
“Forensic Seminar,” Chicago, Mar. 8, 2002.
- “Documentary Evidence” & “Expert Testimony,” Evidence Workshop, Ohio Judicial
Conference, Cleveland, November 9, 2001.
- “Survey of Scientific Evidence,” Evidence for Prosecutors, National College of District
Attorneys, Colorado Springs, September 9, 2001.
- “Scientific Evidence in the Sam Sheppard Trials,” Toward More Reliable Jury Verdicts?: Law,
Technology, and Media Developments Since the Trials of Dr. Sam Sheppard, Cleveland
State University College of Law, April 21, 2001.
- “Post-Conviction DNA Testings’ Effect on Forensic Science,” New England Law Review
Symposium on the “The Impact of Post-Conviction DNA Testing on the Criminal Justice
System,” Boston, November 14, 2000.
- “Scientific Evidence,” Environmental Law Seminar, Cincinnati Bar Association, November 8,
2000.
- “Practical and Ethical Dilemmas Confronting Testifying Experts,” National Conference on
Science and The Law, San Diego, October 12 & 13, 2000. Sponsored by the Department
of Justice, ABA, American Academy of Forensic Sciences, National Center for State
Courts, National Academy of Sciences, and Federal Judicial Center.
- “The Judiciary: Interpreting the Vision,” Panel (with Jeffrey Toobin, ABC News Legal Analyst
and New Yorker Magazine), Ohio Judicial Conference, September 7, 2000, Columbus.
- “Science and the Law,” joint presentation with Dr. Roger Kahn and Judge Robert Pollex, Ohio
Judicial College, September 7, 2000, Columbus.
- “DNA and Related Topics,” Ohio Courts of Appeals Judges Association, June 23, 2000. Cedar
Points Resorts.
- “The Ethics of Scientific Evidence,” New York State Bar Association, Chautauqua Institute,
May 20, 2000 (moderator of panel with Dr. Michael Baden, Dr. Lowell Levine, Dr. Ira
Titunik, Justice Samuel Green).
- “DNA Databanks,” Science in the Courtroom for the 21st Century II: Emerging Technologies and
Issues in Forensic DNA, Illinois State Appellate Defender Conference, DePaul
University, Chicago, May 12, 2000.

- “Expert & Scientific Evidence,” Trumbull County Bar Association. Warren, Ohio, March 24, 2000.
- “Government’s Ethical Responsibilities in Using Scientific Evidence,” Jurisprudence Section, American Academy of Forensic Sciences, Reno, February 24, 2000.
- “Post-Daubert & Post-Kumho Developments,” Jurisprudence Section, American Academy of Forensic Sciences, Reno, February 25, 2000.
- “The Leopold- Loeb Trial and Capital Punishment,” Jewish Community Center, Cleveland Heights, January 23, 2000.
- “Admissibility of Computer Animations,” U.S. First Circuit Court Conference, October, 1999, Portland, Maine (panel with Chief Judge Young (D.Mass.) and Judge Nancy Gertner).
- “Post-Daubert Considerations in Document Examinations,” FBI Laboratory and N.Y. State Police Forensic Investigation Center, 2nd International Symposium on the Forensic Examination of Questioned Documents, Albany, June 14, 1999.
- “Science, Technical Knowledge, and Skill: Who Is an Expert?,” National Conference on Science and the Law,” San Diego, April 16, 1999. Sponsored by the Federal Judicial Center, National Academy of Sciences, National Institute of Justice (DOJ), American Academy of Forensic Sciences, National Center for State Courts, and ABA.
- “Evidence Issues in Child Abuse Trials,” Public Children Services Association of Ohio, Columbus, September 15, 1999.
- “History and Philosophy of the Juvenile Court System,” Ohio Association of Juvenile and Family Court Judges, Cincinnati, December 11, 1998.
- “Expert Testimony,” Illinois Attorneys for Criminal Justice & Cook County Public Defenders’s Office, Chicago, October 9, 1998.
- “Expert & Scientific Evidence,” Cuyahoga County Criminal Defense Lawyers Association, Atwood Lodge, Ohio, May 30, 1998.
- “Daubert in Criminal Litigation,” University of Florida College of Law, Program on Science and the Law, Orlando, March 7, 1998.
- “Scientific Evidence: Post-Daubert Developments,” Jurisprudence Section, American Academy of Forensic Sciences, San Francisco, February 12, 1998.
- “Recent Challenges in Handwriting Comparison Cases,” Questioned Documents Section, American Academy of Forensic Sciences, San Francisco, February 13, 1998.

“Polygraph Evidence,” Hastings College of Law Symposium on Evidence Reform and the Goals of Evidence Law, San Francisco, September 26-27, 1997.

“Crime Laboratories,” Investigative Reporters and Editors National Conference, Phoenix, June 13, 1997.

“Hearsay, Impeachment & Expert Witnesses,” Hamilton County Public Defender’s Office, Cincinnati, June 21, 1997.

“Polygraph Evidence,” Judicial Conference, United States Court of Appeals for the Armed Forces, Washington, D.C., May 8, 1997.

“Scientific Evidence in Forensic Investigations,” Cleveland Society for Clinical Laboratory Science, Cleveland, March 15, 1997.

“Prosecutor Responsibilities and Obligations Regarding Forensic Evidence,” American Academy of Forensic Sciences, New York, February 18, 1997.

“Assuring Relevance and Reliability of Forensic Trace Evidence,” Federal Bureau of Investigation, International Symposium on the Forensic Examination of Trace Evidence in Transition, San Antonio, June 24, 1996.

“Expert Testimony,” Judicial Conference of the United States Court of Appeals for the Armed Services in Washington, D.C., May 9, 1996.

“Evidentiary Issues,” Ohio Common Pleas Judges Association, Sandusky, June 19, 1996.

“Scientific Evidence,” Federal Judicial Center, San Francisco, January 23, 1995.

“Scientific Evidence,” Federal Judicial Center, New Orleans, December 12, 1994.

“Scientific Evidence After Daubert,” National Forensic Center, New Orleans, December 3, 1994.

“Ohio Rules of Evidence,” Cleveland Municipal Court Referees, Cleveland, October 24, 1994.

“DNA Evidence,” Midwestern Association of Forensic Scientists, Independence, OH, October 11, 1994.

“Hearsay Issues in Juvenile Proceedings,” Guardian Ad Litem Conference, Independence, Ohio, August 26, 1994.

“Confrontation Issues in Child Abuse Cases,” Ohio Common Pleas Judges’ Association, Painsville, June 24, 1994.

- “Junk Science, Frye, and Daubert,” Michigan Prosecuting Attorneys Coordinating Council, Gaylord, Michigan, April 30, 1994.
- “Trends in Evidence: Junk Science and Rule 702, The Ohio Academy of Trial Lawyers Trial Practice Seminar, Cleveland, April 29, 1994.
- “Daubert: Interpreting the Federal Rules of Evidence,” Scientific Evidence Symposium, Cardozo Law School, New York City, October 25, 1993.
- “Expert Testimony and the Confrontation Clause,” Sullivan Lecture Symposium, Capital University School of Law, November 11, 1992
- “Scientific Evidence in Criminal Prosecutions,” 21st Kenneth J. Hodson Lecture, U.S. Army Judge Advocate General’s School, Charlottesville, Va., March 26, 1992
- “Admissibility of Scientific Evidence,” First National Defense Symposium on DNA, Washington, D.C., March 16-17, 1990. Sponsored by National Association of Criminal Defense Lawyers.
- “Evidence Issues in Child Sexual Abuse Cases,” Ohio Common Pleas Judges’ Association, Quail Hollow Resort, June 21, 1990.
- “Making the Record,” Ohio CLE Institute, Cleveland, April 20, 1990.
- “Hearsay Evidence,” Criminal Procedure Update for Prosecutors, CWRU Center for Criminal Justice, June 15, 1990.
- “Transfer of Juveniles to Adult Criminal Courts,” Cuyahoga Community College, March 23, 1990.
- “Scientific Evidence,” National College of District Attorneys Forensic Medicine Course, San Antonio, September 24, 1986.
- “Scientific Evidence,” National College of District Attorneys Forensic Medicine Course, Williamsburg, Va., February 23, 1986.
- “Evidence Rule 404,” Ohio Common Pleas Judge’s Association, June 28, 1984.
- “Fourth Amendment Developments,” Cuyahoga County Bar Association, Criminal Law Section, January 1985.
- “Admissibility of Scientific Evidence Under the Federal Rules of Evidence,” ABA Litigation Section, Symposium on Proposed Evidence Amendments, February 22, 1985, Georgetown University, Washington, D.C.

- “Observations on Discovery of Scientific Evidence,” National Conference of Lawyers and Scientists, sponsored by the ABA and American Association for the Advancement of Science, Washington, D.C., October 29, 1983,
- “Criminal Evidence,” Cleveland Bar Association, Trial Advocacy Institute, February 3, 1984.
- “The Admissibility of Scientific Evidence,” National Conference of Lawyers and Scientists, sponsored by the ABA and American Association for the Advancement of Science, Arlie House, Va., April 29, 1983
- “Ohio’s New Sentencing Law,” Cleveland Bar Association, Trial Advocacy Institute, February 5, 1983.
- “Standing Rules on the Fourth Amendment,” Cuyahoga County Bar Association, Criminal Law Section, April 21, 1982.
- “Scientific Evidence,” National College for Criminal Defense, Denver, February 19, 1982.
- “Scientific Evidence,” National College of District Attorneys, Boston, April 27, 1981.
- “Historical Development of the Ohio Rules of Evidence,” Cleveland Bar Association, Trial Advocacy Institute, January 22, 1981.
- “Ohio Rules of Evidence,” Ohio Legal Institute, September 13, 1980.
- “Radar Evidence,” Ohio Municipal Judges Conference, Columbus, February 22, 1980.
- “Eyewitness Identifications,” Ohio Public Defender Association, Columbus, November 17, 1978.