

WESLEY M. OLIVER

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EDUCATION

- J.S.D. Yale Law School, 2009
Dissertation: *The Nineteenth and Early Twentieth Century Origins of Criminal Procedure: A View from the New York Police Department*. Committee: Robert W. Gordon, Kate Stith, Bruce Ackerman, William J. Stuntz
- LL.M. Yale Law School, 2004
- J.D. University of Virginia School of Law, 1996 (ranked in top 15%)
- B.A. University of Virginia, 1992, History and Government Majors, *Phi Beta Kappa*

ACADEMIC APPOINTMENTS

- 2012 – present Duquesne University
Professor of Law 2015 – present
Associate Professor of Law 2012 – 2015
Affiliated Faculty, Univ. of Pittsburgh Center for Text Analytics and Law 2021 – present
Associate Dean for Academic Affairs 2019 – 2020
Associate Dean for Faculty Scholarship 2015 – 2019
Criminal Justice Program Director 2012 – present
- 2017 – 2018 Visiting Professor of Law, Southern Methodist University Dedman School of Law (Fall)
- 2006 – 2012 Widener University School of Law
Associate Professor of Law 2006 – 2012
Associate Director, Law and Government Institute 2007 – 2012
- 2010 – 2011 Visiting Associate Professor of Law, University of Tennessee College of Law (Fall)
- 2004 – 2006 Climenko Fellow and Lecturer on Law, Harvard Law School
- 2001 – 2002 Visiting Associate Professor of Law, University of Maine School of Law
Concurrent appointment: McGill University Faculty of Law, Fulbright Lecturer (Spring)
- 1999 – 2001 Forrester Teaching Fellow, Tulane Law School

PUBLICATIONS

BOOKS

- The Prohibition Era and Policing: A Legacy of Misregulation* (Vanderbilt Univ. Press 2018).
- Pennsylvania Law Encyclopedia, Volumes 17 & 18* (Criminal Law) (LexisNexis 2016).
- Experiencing Criminal Law* (West 2015) (with Gabriel J. Chin).
- Evidence: Common Law and Federal Rules of Evidence* (Seventh ed., LexisNexis 2015) (with Paul Rice, Dale B. Durrer, and Kirsha Weyandt Trychta).
- Tennessee Criminal Law: Cases and Materials* (West 2011) (co-authored with Douglas A. Blaze).

ARTICLES AND ESSAYS

- Computationally Assessing Suspicion*, 92 UNIV. OF CINCINNATI LAW REVIEW ____ (forthcoming 2024) (with Morgan A. Gray, Jaromir Savelka, Kevin D. Ashley).
- Nineteenth Century Treatise Writers and Legal Codifiers Created a Fossil Record of Framing Era Miranda Warnings*, __ LAW LIBRARY JOURNAL __ (forthcoming 2023) (with Nicole Singleton).
- Empirical Legal Analysis Simplified: Reducing Complexity through Automatic Identification of Legally Relevant Factors*, PHILOSOPHICAL TRANSACTIONS OF THE ROYAL SOCIETY A (with Morgan A. Gray, Jaromir Savelka, Kevin D. Ashley) (forthcoming 2023).
- Automatic Identification of Empirical Analysis of Legally Relevant Factors*, PROCEEDINGS OF THE 18TH INTERNATIONAL CONFERENCE ON ARTIFICIAL INTELLIGENCE AND LAW (June 2023) (Morgan A. Gray, Jaromir Savelka, Kevin D. Ashley).
- Toward Automatically Identifying Legally Relevant Factors*, PROCEEDINGS OF THE 35TH INTERNATIONAL CONFERENCE ON LEGAL KNOWLEDGE AND INFORMATION SYSTEMS (Dec. 2022) (with Morgan Gray Jaromir Savelka, Kevin D. Ashley).
- Identifying the Factors of Suspicion*, PROCEEDINGS OF THE 33RD INTERNATIONAL CONFERENCE ON LEGAL KNOWLEDGE AND INFORMATION SYSTEMS (Dec. 2020) (with Morgan Gray and Arthur Crivella).
- Transformers for Classifying Fourth Amendment Factors and Elements Tests*, PROCEEDINGS OF THE 33RD INTERNATIONAL CONFERENCE ON LEGAL KNOWLEDGE AND INFORMATION SYSTEMS (Dec. 2020) (with Evan Gretok and David Langerman).
- The Search for Precedent in the Andrew Johnson Impeachment*, 39 QUINNIPIAC LAW REVIEW 107 (2020).
- Prohibition's Fourth Amendment Confessions Rule*, 17 OHIO STATE JOURNAL OF CRIMINAL LAW 445 (2020).
- Policing the Open Road*, 70 UNIV. OF TORONTO LAW JOURNAL 592 (2020) (book review).
- Reducing Subjectivity and Bias in an Officer's Analysis of Suspicion in Drug Interdiction Stops*, PROCEEDINGS OF THE 16TH INTERNATIONAL CONFERENCE ON ARTIFICIAL INTELLIGENCE AND LAW (June 2019) (with Arthur Crivella and Morgan Gray).
- Coding Suspicion*, PROCEEDINGS OF THE 31ST INTERNATIONAL CONFERENCE ON LEGAL KNOWLEDGE AND INFORMATION SYSTEMS (2018) (with Arthur Crivella and Morgan Gray).
- Prohibition's Anachronistic Exclusionary Rule*, 67 DEPAUL LAW REVIEW 473 (2018).
- Bill Cosby, the Lustful Disposition Exception, and the Doctrine of Chances*, 93 WASHINGTON UNIV. LAW REVIEW 1131 (2016).
- Jerry Sandusky, George Zimmerman, and the Ethics of Counsel's Use of the Media*, 68 OKLAHOMA LAW REVIEW 297 (2016) (with Rebecca Silinski).
- Choice of Counsel and the Appearance of Equal Justice Under Law*, 109 NORTHWESTERN UNIV. LAW REVIEW 1117 (2015).
- Prohibition's Lingering Shadow: The Under-Regulation of Official Uses of Force*, 80 MISSOURI LAW REVIEW 1037 (2015)
- Charles Lindbergh, Caryl Chessman, and the Exception Proving the (Potentially Waning) Rule of Broad Prosecutorial Discretion*, 20 BERKELEY JOURNAL OF CRIMINAL LAW 1 (2015).

Prohibition, Stare Decisis, and the Lagging Ability of Science to Influence Criminal Procedure, 105 JOURNAL OF CRIMINAL LAW AND CRIMINOLOGY 993 (2015).

Standards of Legitimacy in Criminal Negotiations, 20 HARVARD NEGOTIATION LAW REVIEW 61 (2015) (with Rishi Batra).

Limiting Criminal Law's 'In for a Penny, In for a Pound' Doctrine, 103 GEORGETOWN LAW JOURNAL ONLINE 8 (2014) (cited by *Commonwealth v. Knox*, 105 A.3d 1194 (Pa. 2014)).

Domestic Violence, Gun Possession, and the Importance of Context, 90 INDIANA LAW JOURNAL SUPPLEMENT 36 (2014).

The Indirect Effects of Lafler and Frye, 51 DUQUESNE LAW REVIEW 633 (2013).

Toward a Common Law of Plea Bargaining, 102 KENTUCKY LAW JOURNAL 1 (2012-2013).

Western Union, the American Federation of Labor, Google, and the Changing Face of Corporate Privacy Advocates, 80 MISSISSIPPI LAW JOURNAL 971 (2012).

Material Witness Detentions After Al-Kidd, 100 KENTUCKY LAW JOURNAL 293 (2011-2012).

The Present and Future of Plea Bargaining: A Look at Missouri v. Frye and Lafler v. Cooper, 2011-2012 CATO SUPREME COURT REVIEW 257.

The Modern History of Probable Cause, 78 TENNESSEE LAW REVIEW 377 (2011)

America's First Wiretapping Controversy in Context and as Context, 34 HAMLINE LAW REVIEW 205 (2011).

The Neglected History of Criminal Procedure, 1850-1940, 62 RUTGERS LAW REVIEW 447 (2010) (cited by *Lopez v. City of Lawrence, Mass.*, 823 F.3d 102 (1st Cir. 2016); *State v. Turnquest*, 827 S.E.2d 865 (Ga. 2019)).

Portland, Prohibition, and Probable Cause: Maine's Role in Shaping Modern Criminal Procedure, 23 MAINE BAR JOURNAL 211 (Fall 2008).

Magistrates' Examinations, Police Interrogations, and Miranda-Like Rules in the Nineteenth Century, 81 TULANE LAW REVIEW 777 (2007) (cited by *State v. Turnquest*, 827 S.E.2d 865 (Ga. 2019)).

Dred Scott and the Political Question Doctrine, 16 WIDENER LAW JOURNAL 13 (2007).

The Rise and Fall of Material Witness Detentions in Nineteenth Century New York, 1 NYU JOURNAL OF LAW AND LIBERTY 727 (2005) (cited by *In re Marshall*, 805 N.W.2d 145 (Iowa 2011); *al-Kidd v. Ashcroft*, 580 F.3d 949 (9th Cir. 2009)).

Toward a Better Balance of the Costs and Benefits of the Exclusionary Rule, 9 BUFFALO CRIMINAL LAW REVIEW 201 (2005) (cited by *State v. Subdiaz-Osario*, 849 N.W.2d 748 (Wis. 2014)).

A Round Peg in a Square Hole: Federal Forfeiture of State Professional Licenses, 28 AMERICAN JOURNAL OF CRIMINAL LAW 179 (2001).

With an Evil Eye and an Unequal Hand: Pretextual Stops and Doctrinal Remedies to Racial Profiling, 74 TULANE LAW REVIEW 1409 (2000) (cited by *State v. Jenkins*, 3 A.3d 806 (Conn. 2010); *State v. Akuba*, 686 N.W.2d 406 (S.D. 2004); *State v. Carty*, 790 A.2d 903 (N.J. 2002); *People v. Robinson*, 767 N.E.2d 147 (N.Y. 2001)).

COURSES TAUGHT

Legal Technology:

Coding for Lawyers (Duquesne)
 Statistics and Machine Learning for Lawyers (Duquesne)

Criminal Law:

Corporate, Political, and White-Collar Crime (Widener)
Criminal Law (Harvard, Widener, Tennessee, Duquesne, SMU)
Criminal Procedure I (Maine, Widener, Duquesne)
Criminal Procedure II (Widener, Tennessee, Duquesne)
Federal Criminal Law (Maine, Duquesne)
Forfeiture (Tulane)
History of American Criminal Procedure (Harvard)
North American Criminal Procedure (McGill)

Other:

Business Organizations (Widener)
Constitutional History (Widener)
Constitutional Law (Widener)
Evidence (Maine, Widener, Duquesne, SMU)
Fact Investigation (Duquesne)
Legal Writing (Tulane, Harvard)
Professional Responsibility (Duquesne)
Remedies (Widener)

AWARDS

Duquesne University

Thomas R. Kline School of Law Innovation in Teaching Award, May 2023

University-Wide Creative Teaching Award, April 2023

Dr. John and Liz Murray Excellence in Scholarship Award, May 2015

Vincent L. McKusick Award for Best Article in the *Maine Bar Journal*, 2009.

GRANTS

Principal Investigator, American Bar Endowment, Utilizing Technology to Enhance Access to Custody Appeals, April 2022 – March 2023: \$23,500

Principal Investigator for Grant to Center for Textual Analytic Methods and Law at the University of Pittsburgh, Pitt Scaling Grant, April 2022- March 2024: \$400,000

ADMINISTRATIVE POSITIONS

Associate Dean for Academic Affairs, July 2019-June 2020

- Oversaw all aspects of academic program from scheduling to compliance with ABA standards.
- Supervised registrar, admissions, and career placement offices.
- Supervised legal writing, academic excellence, and bar services programs.
- Supervised adjunct faculty members.
- Managed budgets for adjunct faculty and research assistants.
- Created academic schedule and calendar.
- Created partnership with Xavier University of Louisiana for 3/3 program as well as teaching and scholarly exchanges.
- Transferred academic program online during COVID-19.

Associate Dean for Faculty Scholarship, July 2015-June 2019

- Organized faculty workshops and guest speakers.
- Assisted colleagues with development of scholarly writing and publication process.
- Reviewed scholarship for all candidates seeking contract retention, tenure, and promotion.
- Managed budgets for visiting speakers, scholarly travel, and research grants.
- Increased funding for faculty scholarship and redefined criteria for grants.
- Assisted colleagues in attracting media attention for their scholarly works.
- Developed automated system for reporting scholarly activity to public relations, central university, alumni office, and appropriate blogs.
- Coordinated logistics for endowed speaker series, chaired committee identifying criteria and selecting speakers.
- Co-chair, Conference on Artificial Intelligence and Law, April 25-26, 2019.

Executive Committee, Faculty Senate, Duquesne University, Fall 2014-2016

University Rank and Tenure Committee, Duquesne University, Fall 2015-present

Director, Criminal Justice Program, Duquesne University School of Law, Fall 2012-present

- Crafted messaging about Criminal Justice offerings at law school for admissions, media relations, and rankings surveys. Duquesne received an “A-” rating from *Pre-Law Magazine* since 2018.
- Organized and secured funding for day-long event: *Two Conversations with George Zimmerman’s Lawyer: Race, the Media, and the Trayvon Martin Case*. As part of this event Mark O’Mara guest lectured my criminal law class on the law of self-defense and did two public interviews for the public, for which CLE credit was provided. The first, on the Zimmerman case and racial issues in the criminal justice system, was conducted by Montré Carodine of the University of Alabama. The second interview, conducted by Third Circuit Judge Thomas Hardiman, considered the appropriate use of the media by counsel. Sponsors included the Pittsburgh Black Media Federation, the Pennsylvania News Media Association, the Pennsylvania Association of Criminal Defense Lawyers, and the Miller Law Firm.
- Organized event on Law, Justice, and Journalism with Mark Curriden, author of *Contempt of Court: A Turn of the Century Lynching that Led to a Hundred Years of Federalism*. Curriden described the value of intersections between law and journalism in a public presentation and then spoke with the Fact Investigation class about developing strategies for investigating and telling stories.
- Developed, organized, and secured funding for national conference on plea bargaining including written and live commentary by Judge Frank Easterbrook (7th Cir.), Judge Louis Sands (M.D. Ga.) Albert Alschuler (Univ. of Chicago), Ron Wright (Wake Forest), Richard Lippke (Indiana), Stephanos Bibas (Penn), David Abrams (Penn), Nancy King (Vanderbilt), Susan Klein (Texas), Jack Chin (UC Davis), Russell Covey (Ga. St.), and Bruce Green (Fordham).
- Formed partnership with *Pittsburgh Post-Gazette*, Cyril Wecht Institute, and meta-data firm Crivella West to provide funding and staffing for newly created Fact Investigation Course which produced multi-day pieces on aspects of the criminal justice system appearing in the *Post Gazette*, the first of which considered how federal prosecutors responded to the mortgage fraud crisis:

<http://www.post-gazette.com/business/2014/05/25/Mortgage-fraud-assault-a-Pyrrhic-victory/stories/201405250140>

<http://www.post-gazette.com/local/region/2014/05/26/Cooperation-in-mortgage-probe-rewarded/stories/201405260073>

The second dealt with health care fraud enforcement:

<http://www.post-gazette.com/business/healthcare-business/2015/09/27/Health-care-fraud-enforcement-ramping-up-in-Western-Pennsylvania/stories/201509270073>

- Created, produced, hosted, and raised outside funds for television program, *Crime and Punishment*, which continues to air monthly statewide on the Pennsylvania's C-SPAN Affiliate.

Associate Director, Institute for Law and Government, Widener University School of Law, 2007-2012

- Created and secured funding for creation of John Gedid Lecture Series in honor of school's founding dean. Lecturers in the series have included: Melissa Waters (Washington U.), Ken Mack (Harvard), Heather Gerken (Yale), Melissa Jacoby (UNC), Chris Robertson (Arizona), and Orin Kerr (GW).
- Developed, organized, and secured funding for alternative energy law conference that featured television-media-friendly exhibits including hydrogen powered SUV and algae-powered Harley Davidson. Speaker from sponsor General Motors provided rides to participants in hydrogen powered vehicles.
- Created partnership with Pennsylvania's C-SPAN Affiliate for the production of *In Session with the Widener Law and Government Institute*.

MEDIA COMMENTARY

Provided on-air commentary on criminal justice stories for ABC World News, ABC's Good Morning America, CBS This Morning, CBS Evening News, CBS News 48 Hours, NBC's TODAY Show, and NBC Nightly News as well as local affiliates of each network in Philadelphia, Pittsburgh, and Harrisburg.

Provided commentary used in print articles in the *New York Times*, *Wall Street Journal*, *London Times*, *Washington Post*, *USA Today*, *Sports Illustrated*, *San Francisco Chronicle*, *Houston Chronicle*, *Chicago Sun-Times*, *Dallas Morning News*, *Atlanta Journal Constitution*, *Austin American Statesman*, *Philadelphia Inquirer*, *Miami Herald*, *Seattle Times*, *New Orleans Times Picayune*, *Pittsburgh Post-Gazette*, *The Tennessean*, and *Stars and Stripes*.

NBC News Legal Analyst for the Trial of Jerry Sandusky

Provided dozens of taped appearances for TODAY and NBC Nightly News.

Live on-air commentary for MSNBC.

Written commentary for msnbc.com and NBCNews.com.

Live and taped commentary for the News Channel providing content to NBC affiliates.

C-SPAN, Host and Producer, January 2010 – May 2014.

2010 – 2012 Created, Produced, and Hosted Student-Researched Legal Roundtable Show Aired Statewide, *In Session with the Widener Law and Government Institute*.

2012 – 2014 Created, Produced, and Hosted Show Aired State-wide Discussing Contemporary Criminal Justice Issues, *Crime and Punishment*.

OP-EDS AND JOURNALISTIC ARTICLES

Is it a Crime to Forge a Vaccine Card?, The Conversation, August 30, 2021 (with Christopher Robertson)
The Anachronistic Exclusionary Rule: The Landmark Mapp Ruling Didn't Do Enough to Force Oversight of Police, Pittsburgh Post-Gazette, June 10, 2020.

Prohibition's Legacy: Judicial Regulation of Searches Not Use of Force, Jurist.org, June 9, 2020

Sleeping Soundly—Even on Wheels, Jurist.org, Jun. 8, 2018

Amnesty International Report on Police Use of Force, Jurist.org, July 2, 2015.

Prosecutors Reeled in Little Fish with Help of Big Ones in Mortgage Fraud Push, Forbes.com, May 28, 2014.

Chalk One Up for Reason and Logic at Sandusky Sentencing, NBCNews.com, October 9, 2012.

What to Expect at Jerry Sandusky's Sentencing, NBCNews.com, October 8, 2012.

Ex-Penn State Officials' Perjury Case Renews Sandusky Case Questions, NBCNews.com, August 15, 2012.

In Loughner Case, A Cost-Benefit Analysis to the Death Penalty, NBCNews.com, August 6, 2012.

In Aurora Massacre, Trial May Not Shed Much Light on Motive, NBCNews.com, July 24, 2012.

Paterno Could Have Been Indicted If He'd Lived, NBCNews.com, July 12, 2012.
Number of Victims Persuaded Jury in 'He Said He Said' Case, msnbc.com, June 23, 2012.
Sandusky's Lawyer Jeopardized His Client's Interests, msnbc.com, June 22, 2012.
Sandusky's Lawyer Made Strong Comeback in Closing Argument, msnbc.com, June 21, 2012.
Faltering Defense Hurt Jerry Sandusky, msnbc.com, June 20, 2012.
Prosecution Presented Strong Case Against Jerry Sandusky, msnbc.com, June 14, 2012.
Sandusky Lawyer Flummoxed by Witness Memory Lapse, msnbc.com, June 13, 2012.
Sandusky Defense Fails to Dent McQueary's Damning Testimony, msnbc.com, June 12, 2012.
Plea Deal a Long Shot in Sandusky Sex Abuse Case, msnbc.com, June 9, 2012.
Ashcroft v. al-Kidd and Material Witness Detentions, Huffington Post, November 8, 2010.
Why I Was a Campaign Volunteer, (Harrisburg) Patriot News, January 7, 2008.
How Iowa Does It, (Harrisburg) Patriot News, December 30, 2008.
Iowans Are Really Engaged in the Caucus Process, (Harrisburg) Patriot News, December 23, 2007.
Recordings Can Protect Those Secretly Taped, (Harrisburg) Patriot News, June 17, 2007.
Rulings Lose Sight of Innocent, (Harrisburg) Patriot News, June 3, 2007.

PRESENTATIONS

NATIONAL AND INTERNATIONAL

“Computationally Assessing Reasonable Suspicion in Drug Interdiction Stops,” Conference on Data Science and Law (co-sponsored by Fordham Law School, University of Virginia School of Law, ETH Zurich), New York, NY, 2023, July 31, 2023.

“Nineteenth Century Treatise Writers and Legal Codifiers Created a Fossil Record of Framing Era Miranda Warnings,” Legal Information Symposium – The Legal Treatise: Past, Present, and Future, Yale Law School, March 23, 2023.

“The Computational Anatomy of a Drug Interdiction Stop,” Information Society Project, Yale Law School, October 19, 2021.

“Identifying the Factors of Suspicion,” Thirty-Third International Conference on Legal Knowledge and Information Systems, Czech Technical University, Prague, Czech Republic, December 2020.

“Transformers for Classification of Bright-Line vs. Totality-of-the-Circumstances Rule in Fourth Amendment Cases,” Thirty-Third International Conference on Legal Knowledge and Information Systems, Czech Technical University, Prague, Czech Republic, December 2020.

“Coding Burglary in 1L Criminal Law,” Southeastern Association of Law Schools Annual Conference, Boca Raton, FL, July 31, 2019.

“Sarah Palin and Dual Sovereignty,” Southeastern Association of Law Schools Annual Conference, Boca Raton, FL, July 30, 2019.

“Artificial Intelligence in Drug Interdiction Stops,” Southeastern Association of Law Schools Annual Conference, Boca Raton, FL, July 28, 2019.

“Reducing Subjectivity and Bias in an Officer’s Analysis of Suspicion in Drug Interdiction Stops,” Seventeenth International Conference on Artificial Intelligence and Law, Montreal, Quebec, June 18, 2019.

“Alcohol Prohibition and the American Exclusionary Rule,” Centre for Criminology Seminar Series, University of Oxford Faculty of Law, May 28, 2019.

“Can Machine Learning Assist in Grading Homicide?” Climenko Fellow Reunion, Harvard Law School, March 30, 2019.

“Prohibition and Criminal Procedure: A Mini-Conference on Wesley M. Oliver’s *The Prohibition Era and Policing*,” Moritz College of Law, Ohio State University, March 4, 2019.

“Prohibition and Policing,” Prohibition Panel, American Association of Law Schools Annual Meeting, New Orleans, LA, January 4, 2019.

- “Coding Suspicion,” Thirty-First International Conference on Legal Knowledge and Information Systems, University of Groningen, Groningen, Netherlands, December 14, 2018.
- “The Fourth Amendment During Prohibition,” Annual Constitutional Institute, Fred W. Smith Library for the Study of George Washington, Mount Vernon, Virginia, September 20-21, 2018.
- “The Prohibition Era and Policing,” Rejebian Book Series, Highland Park United Methodist Church, Dallas, TX, June 13, 2018.
- “Prohibition’s Surprising Role in the Under-Regulation of Police Brutality,” Police Brutality: Its Chilling Effect and Innovative Solutions, Seattle University School of Law, April 6, 2018.
- “The Klan and Criminal Procedure,” SMU Dedman School of Law Faculty Workshop, October 31, 2017.
- “Three Stories from Cleveland: A Historical Explanation for the Under-Regulation of Police Force,” The Role of the Prosecutor and the Grand Jury in Police Use of Force Cases Conference, Cleveland Marshall Law School, November 18, 2016.
- “The Anachronistic Exclusionary Rule,” Vanderbilt Law School Criminal Justice Roundtable, November 11, 2016.
- “Police Shootings, Wrongful Convictions, and Prohibition's Unexpected Causal Role,” Vanderbilt Law School Criminal Law Society, November 10, 2016.
- “The Rapidly Expanding Good Faith Exception,” Maine Association of Criminal Defense Lawyers Annual Meeting, June 20, 2015.
- “The Law’s Inability to Provide Closure in Ferguson,” University of Missouri Law Review Symposium, *Policing, Protesting, and Perceptions: A Critical Examination of the Events in Ferguson*, Columbia, MO, February 26, 2015.
- “Prohibition, Stare Decisis, and the Lagging Ability of Science to Influence Criminal Procedure,” Loyola Constitutional Law Colloquium, Chicago, IL, November 7, 2014.
- “Making a Deal in Criminal Cases,” ABA Conference on Alternative Dispute Resolution, Miami, FL, April 4, 2014.
- “The Past and Present Supreme Court Terms,” Defense Lawyers’ Roundtable, Nashville, TN, November 2, 2012.
- “How *Lafley* and *Frye* Will Change Plea Bargaining,” Federalist Forum, James E. Rogers College of Law, University of Arizona, October 18, 2012.
- “Western Union, the Teamsters, Google, and the Changing Face of Corporate Privacy Advocates,” National Judicial Conference, University of Mississippi School of Law, March 10, 2011.
- “Prosecutorial Discretion and Proposed Remedies for Its Abuse,” Tennessee Association of Criminal Defense Lawyers Annual Conference, Nashville, TN, August 28, 2010.
- Commentator on Donald Dripps pending book, *The Nineteenth Century Transformation of Criminal Justice*, Law and Society Conference, Chicago, IL, May 28, 2010.
- “The Nineteenth and Early Twentieth Century Origins of Criminal Procedure,” Central States Law School Association Annual Meeting, Columbus, OH, October 24, 2009.
- “Maine’s Role in Developing Modern Criminal Procedure,” Gignoux Inns of Court, Portland, ME, October 14, 2008.
- “Prohibition, Prostitution, and Probable Cause,” Maine Historical Society, Portland, ME, October 9, 2008.
- “Nineteenth Century Prohibition and the Role of Portland, Maine, in Reshaping the Law of Search and Seizure,” University of Maine School of Law, March 21, 2008.
- “Wiretapping and a Nineteenth Century Conception of a Living Constitution,” J.S.D. and Graduate Fellows Workshop, Yale Law School, October 1, 2007.
- “Telegram Subpoenas and Early American Wiretapping,” Legal History Colloquium, University of Virginia School of Law, September 10, 2007.
- “Nineteenth Century History of *Miranda* Warnings,” Cautions and Confessions: *Miranda* After Forty Years Conference, University of Colorado Law School, October 20, 2006.

“*Miranda*-Like Warnings in Nineteenth Century New York,” Legal History Colloquium, Harvard Law School, Cambridge, MA, October 9, 2006.

“Material Witness Detentions in Nineteenth Century New York,” Author Lecture Series, NYU Journal of Law and Liberty, New York University School of Law, September 18, 2006.

LOCAL

“Coding Suspicion and Minimizing Bias,” Cyril Wecht Institute, Duquesne University, April 23, 2019.

“A Crisis of Criminality and Policing,” Heinz History Museum, Pittsburgh, PA, May 24, 2018

Moderator, Third Circuit Review, Pittsburgh, PA, May 2, 2018.

“The Anachronistic Exclusionary Rule,” Faculty Workshop, University of Pittsburgh School of Law, January 19, 2017.

“Prohibition and the Lingering Mis-Regulation of Police,” at Beyond Baltimore: Bridging Public Safety and Social Justice in the Policing of America’s Streets, Cyril Wecht Institute for Forensic Science, November 12, 2015.

Moderator, Third Circuit Review, Pittsburgh, PA, April 25, 2015.

Panelist, “Grand Juries: How the Reasonableness Standard Protects Police and Preys on Racial Tensions,” Pennsylvania Bar Association Minority Attorney Conference, Pittsburgh, PA, April 9, 2015.

Panelist, “Civil Rights, Civil Responsibilities: The Community and the Evolving Role of the Police,” Duquesne University, March 25, 2015.

“Inherent Conflicts of Interest in High Profile Cases,” Allegheny County Academy of Trial Lawyers, October 3, 2013.

“The Media and High Profile Trials,” Pennsylvania Bar Institute, Pittsburgh, PA, May 8, 2013.

“Admissibility of Forensic Expert Testimony,” Cyril Wecht Institute for Forensic Science, Pittsburgh, PA, December 14, 2012.

“Conflicts of Interest Between a Lawyer’s Media Profile and His Duty to His Client,” Widener University School of Law, Harrisburg, PA, October 12, 2012.

“Toward a Common Law of Plea Bargaining,” Pennsylvania Bar Institute, Annual Criminal Law Section Meeting, Harrisburg, PA, May 31, 2012.

“Plea Bargaining After *Lafler* and *Frye*,” Pennsylvania Superior Court Conference, Harrisburg, PA, April 18, 2012.

“*Asbroft v. al-Kidd* and Material Witness Detentions,” William W. Lipsitt American Inns of Court, Harrisburg, PA, May 9, 2011.

“The History of Modern Criminal Procedure,” Pennsylvania Appellate Courts Conference, Bedford Springs, PA, June 16, 2010.

“Should the Second Amendment Be Incorporated Against the States?” Federalist Society Debate Against Alan Gura, Widener University School of Law, Harrisburg, PA, March 11, 2010.

“Blackberries, I-Phones, and the Doctrine of Search Incident to Arrest,” Widener Law Journal Symposium, Widener University School of Law, Harrisburg, PA, February 22, 2009.

“Should There Be a Limit on Prosecutorial Discretion?” Federalist Society Debate with Dauphin County (Harrisburg) District Attorney Ed Marsico, Widener University School of Law, November 12, 2008.

“*Dred Scott* and the Political Question Doctrine,” Widener Law Journal Symposium, Widener University School of Law, April 2, 2007.

LEGAL AND POLITICAL EXPERIENCE

2017 – 2019 Pennsylvania Supreme Court Task Force on Investigative Grand Jury Reform

2007 – 2008 Advisor and Iowa Field Organizer, Biden for President 2008

2002 – 2003 Associate, Tarlow & Berk, Los Angeles, CA

1998 – 1999 Member, Edwards, Simmons & Oliver, Nashville, TN
1997 – 1998 Associate, Law Offices of Lionel R. Barrett, Jr., Nashville, TN
1996 – 1997 Law Clerk, Hon. Joseph B. Jones, Presiding Judge, Tennessee Court of Criminal Appeals

SIGNIFICANT LITIGATION AND AMICUS BRIEFS

Vega v. Tekoh, No. 21-499 (2022) (counsel of record for Amicus Curiae Historians of Criminal Procedure)
Ashcroft v. Al-Kidd, 536 U.S. 731 (2011) (filed brief of Amicus Curiae Wesley MacNeil Oliver in support of petition for writ of certiorari and on the merits supporting Petitioner).
Atwater v. Lago Vista, 532 U.S. 318 (2001) (counsel of record for Nat'l Ass'n of Crim. Def. Lawyers) (Fourth Amendment challenge to arrest for failure to wear seat belt).
Indianapolis v. Edmond, 531 U.S. 32 (2000) (counsel of record for Nat'l Ass'n of Crim. Def. Lawyers) (Fourth Amendment challenge to drug enforcement roadblock).
Stoufflet v. United States, 757 F.3d 1236 (11th Cir. 2014) (counsel for appellant) (challenge to interpretation of procedural default rule in federal post-conviction proceeding).
State v. Garcia, 123 S.W.3d 335 (Tenn. 2003) (counsel for Amicus Curiae Tenn. Ass'n of Crim. Def. Lawyers) (challenge to consent obtained after illegal stop).
United States v. Freeman, 209 F.3d 494 (6th Cir. 2001) (counsel for appellant) (challenge to drug interdiction stop).
Dieter v. United States, 198 F.3d 1284 (11th Cir. 1999) (counsel for Nat'l Ass'n of Crim. Def. Lawyers) (Tenth Amendment challenge to federal forfeiture of medical license).
United States v. Olson, 59 F.Supp.2d 725 (M.D. Tenn. 1999) (counsel for defendant) (challenge to drug interdiction stop).
Summar v. Bennett, 157 F.3d 1054 (6th Cir. 1998) (counsel for appellant) (civil rights action for releasing name of confidential informant).
State v. Leming, 3 S.W.3d 7 (Tenn. Crim. App. 1998) (counsel for appellant) (evidentiary challenge in murder case).