

ADINA SCHWARTZ

POSITIONS HELD

Professor, Department of Law, Police Science and Criminal Justice Administration, John Jay College of Criminal Justice, City University of New York 2006-
Associate Professor, Department of Law, Police Science and Criminal Justice Administration, John Jay College of Criminal Justice, City University of New York 1993-2005
Associate Appellate Counsel, The Legal Aid Society, Federal Defender Services Unit Appeals Bureau, New York City 1988-1991
Litigation Associate, Reinhardt & Schachter, P.C., Newark, N.J. 1988
Litigation Associate, Paul, Weiss, Rifkind, Wharton & Garrison, New York City 1985-1988
Assistant Professor, Department of Philosophy, Yale University 1975-1982

EDUCATION

J.D., Yale Law School 1985
Ph.D., The Rockefeller University 1976
B.A., Oberlin College (Phi Beta Kappa, Fall 1970; Highest Honors in Philosophy) 1971

PUBLICATIONS

Security and Privacy: Global Standards for Ethical Identity Management in Contemporary Liberal Democratic States with John Kleinig, Seumas Miller, Peter Mameli and Douglas Salane (forthcoming book under contract with ANU (Australian National University) E Press)

“Putting the Science in Forensic Science: Helping Congress and the Administration Do What Is Possible,” with Clifford Spiegelman and Katherine Philpott, *Amstat News*, Issue 410: 17-18 (Aug. 1, 2011), available at <http://magazine.amstat.org/blog/2011/08/01/scipoliaug11>

“NAS Roundtable: How Scientific Is Forensic Science?” with William C. Thompson, Michael Burt, and The Honorable Jed S. Rakoff, *The Champion* 28-35 (August 2009)

“Wiretapping,” *World Book Encyclopedia*, 2009, Vol. 21: 345, available at <http://www.worldbookonline.com/student/article?id=ar607240>

“Challenging Firearms and Toolmark Identification-Part Two,” *The Champion* XXXII (9): 44-52 (November/December 2008), *reprinted with a new introduction and update, in The California Defender* 37-47 (Summer 2010)

“Challenging Firearms and Toolmark Identification-Part One,” *The Champion* XXXII (8):10-19 (Oct. 2008)

Review of *Genetic Witness: Science, Law and Controversy in the Making of DNA Profiling* by Jay D. Aronson, *New York Law Journal*, April 4, 2008

“Commentary on Nichols R.G., Defending the Scientific Foundations of the Firearms and Tool Mark Identification Discipline: Responding to Recent Challenges, J. Forens. Sci. 2007 May; 52(3): 586-94,” *Journal of Forensic Sciences* 52(6):1414-15 (November 2007), cited in *United States v. Glynn*, 578 F.Supp.2d 567, 569 n.2 (S.D.N.Y. 2008) and *United States v. Willock*, 696 F.Supp.2d 536, 567 (D.Md. 2010)

Review of *Injustice for All: Mapp vs. Ohio and the Fourth Amendment*, by Priscilla H. Machado Zotti, *Criminal Law Bulletin* 42: 147-50 (2006)

“Fingerprinting,” *World Book Encyclopedia*, 2006, 106-107

“Who’s the We?: Towards a Framework for Understanding and Evaluating Critiques of the American Jury,” in John Kleinig and James P. Levine (eds.), *Jury Ethics: Juror Conduct and Jury Dynamics*, Paradigm Publishers, 2005, 83-91

“A Systemic Challenge to the Reliability and Admissibility of Firearms and Toolmark Identification,” *Columbia Science & Technology Law Review*, 6:1-42 (March 28, 2005), at <http://www.stlr.org/cite.cgi?volume=6&article=2>, cited in *Commonwealth v. Heang*, 942 N.E.2d 927, 938 (Mass. 2011); *United States v. Willock*, 696 F.Supp.2d 536 (D.Md. 2010); *United States v. Mikos*, 539 F.3d 706, 711 (7th Cir. 2008); *Commonwealth of Massachusetts v. Meeks and Warner*, NO. CRIM.A. 2002-10961, CRIM.A. 2003-10575, 2006 WL 2819423 at *15 *et passim* (Mass.Super. Sep 28, 2006); *United States v. Monteiro*, 407 F. Supp. 2d 351(D.Mass. 2006); and *United States v. Green*, 405 F. Supp. 2d 104 (D. Mass. 2005)

“Ballistics Recognition/Identification Systems,” in Larry E. Sullivan and Dorothy Moses Schulz(eds.), *Encyclopedia of Law Enforcement*, Sage Publishing, 2005, Volume 2: 551-555

“Informants, Issues Surrounding Use of,” in Larry E. Sullivan and Dorothy Moses Schulz(eds.), *Encyclopedia of Law Enforcement*, Sage Publishing, 2005, Volume 2: 709-711

“A Challenge to the Admissibility of Firearms and Toolmark Identifications: An *Amicus* Brief Prepared on Behalf of the Defendant in *United States v. Kain*, Crim. No. 03-573-1 (E.D. Pa. 2004),” *Journal of Philosophy, Science & Law* 4:1-32 (December 7, 2004), at <http://www6.miami.edu/ethics/jpsl/archives/all/kain.html>.

“Firearms and Toolmark Identification,” in Jane Campbell Moriarty, *Psychological and Scientific Evidence in Criminal Trials*, West (2004 edition & ann. supp. 2006), Volume 2: 12-50 through 12-91

“A Market in Liberty: Corruption, Cooperation, and the Federal Criminal Justice System,” in William Heffernan and John Kleinig (eds.), *Private and Public Corruption*, Rowman & Littlefield, 2004, 173-223

Review of *Drug Courts in Theory and in Practice* by James L. Nolan, Jr. (ed.), *New York Law Journal*, February 14, 2003

Review of *Suspect Identities: A History of Fingerprinting and Criminal Identification* by Simon A. Cole, *New York Law Journal*, February 7, 2002

Review of *Actual Innocence: Five Days To Execution and Other Dispatches From the Wrongly Convicted* by Barry Scheck, Peter Neufeld and Jim Dwyer, *Punishment and Society* 3: 446-447 (2001)

Review of *Judicial Policy Making and the Modern State: How the Courts Reformed America's Prisons* by Malcolm M. Feeley and Edwin L. Rubin, *Punishment and Society* 2: 246-247 (2000)

"Homes as Folding Umbrellas: Two Recent Supreme Court Decisions on 'Knock and Announce'," *American Journal of Criminal Law* 25: 545-594 (1998), cited in *State v. Barnes*, 618 N.W.2d 805, 811 (Minn. Ct. App. 2000), review denied (2001)

"Public Defenders," *Encyclopedia of Applied Ethics*, San Diego: Academic Press, Inc., 1998, Volume 3: 745-754

"A 'Dogma of Empiricism' Revisited: *Daubert v. Merrell Dow Pharmaceuticals, Inc.* and the Need to Resurrect the Philosophical Insight of *Frye v. United States*," *Harvard Journal of Law and Technology* 10:149-237 (1997), cited in *Goeb v. Tharaldson*, 615 N.W.2d 800, 812-813 (Minn. 2000); *Brim v. State*, 779 So.2d 427, 438 & 438 n.16 (Fla. 2d DCA 2000); *State v. Coon*, 974 P.2d 386, 391 n.25 & 397n.67 (Alaska 1999); and *United States v. Cordoba*, 991 F.Supp. 1199, 1203 n.11 (C.D. Cal. 1998), affirmed, 194 F.3d 1058 (9th Cir. 1999), cert. denied, 529 U.S. 1081 (2000)

"The Hidden Racism of *Terry v. Ohio*," *Search and Seizure Law Report* 23: 49-56 (1996)

"'Just Take Away Their Guns': The Hidden Racism of *Terry v. Ohio*," *Fordham Urban Law Journal* 23: 317-375 (1996)

Booknote on *Justice as Sanctuary: Toward a New System of Crime Control* by Herman Bianchi, *Ethics* 106:228 (1995)

Booknote on *Prisons in Crisis* by William L. Selke, *Ethics* 105:690 (1995)

"Towards a Jurisprudence of Labor Law: Methodological Preliminaries," *Valparaiso University Law Review* 19: 71-94 (1984)

"Autonomy in the Workplace," in Tom Regan (ed.), *Just Business: Introductory Essays in Business Ethics*. New York: Random House, 1984: 129-166

Review of *Karl Marx* by Allen Wood, *The Philosophical Review* 92: 258-261 (1983)

"Meaningful Work," *Ethics* 92: 634-646 (1982), reprinted in Rita Manning and René Trujillo (eds.), *Social Justice in a Diverse Society*. Mountain View, Ca.: Mayfield Publishing Co., 1996; Will Kymlicka (ed.), *Justice in Political Philosophy*. Brookfield, Vt.: Ashgate Pub. Co., 1992; A.L. Gini and T. Sullivan (eds.), *It Comes with the Territory: An Inquiry Concerning Work and the Person*. New York: Random House, 1989

Review of *Birth Control and Controlling Birth: Women-Centered Perspectives* by Helen B. Holmes, Betty R. Hoskins and Michael Gross, *Human Rights Quarterly* 4: 140-144 (1982)

"Against Universality," *The Journal of Philosophy* 78: 127-143 (1981)

Review of *Equality, Liberty and Perfectionism* by Vinit Haksar, *Ethics* 92: 134-137 (1981)

Review of *Working for Capitalism* by Richard Pfeffer, *Ethics* 90: 602-603 (1980)

"Aristotle on Education and Choice," *Educational Theory* 29: 97-107 (1979)

Review of *Reason and Morality* by Alan Gewirth, *The Philosophical Review* 88: 654-656 (1979)

Review of *The Theory of Morality* by Alan Donagan, *The Philosophical Review* 87: 649-651 (1978)

Review of *Reading Rawls: Critical Studies of John Rawls' A Theory of Justice*, edited with an introduction by Norman Daniels, *The Philosophical Review* 86: 238-241 (1977)

"Moral Neutrality and Primary Goods," *Ethics* 83:294-307 (1973), reprinted in G.W. Smith (ed.), *Liberalism: Critical Assessments*, Routledge & Kegan Paul, 2003; Chandran Kukathas (ed.), *John Rawls: Critical Assessments of Leading Political Philosophers*, Routledge & Kegan Paul, 2002; Henry Richardson and Paul Weithman (eds.), *The Philosophy of Rawls : A Collection of Essays*, Garland Pub., 1999

GRANTS

Award from John Jay College Special Research Support Fund to obtain documents needed for analyzing the errors found in the Michigan State Police Forensic Science Division Audit of the Detroit Police Firearms Unit laboratory in 2008 July 2010

Special Co- Principal Investigator on "Security and Privacy: Global Standards for Ethical Identity Management in Contemporary Liberal Democratic States," Science and Society Program, NSF 0619226 2006-2008

Co- Principal Investigator on Cyber Trust Proposal NSF 043044 2004-2007

PRESENTATION OF PAPERS AND PARTICIPATION IN CONFERENCES

"Firearms and Tool Mark Evidence," presented at "Confronting the Science: Challenging Unreliable Forensic Evidence," sponsored by North Carolina Advocates for Justice, Raleigh, NC, April 1, 2011

"*Frye* and Challenges to Firearms and Toolmark Identification," a Continuing Legal Education presentation to The Legal Aid Society, New York City, March 30, 2011

Panelist, "Forensic Evidence –Evidence in Criminal Trials: Demystifying the CSI Effect," sponsored by the New York County Lawyers Association, December 2, 2010

Panelist in a session on "Principles and Procedures for Scientifically Validating a Subject as Science," at "Litigating Forensic Evidence in New York Courts," sponsored by the New York State Bar Association, October 21, 2010

Panelist in a session on "Firearm and Toolmark ID," at "Whatever Happened to the Science in Forensic Science?," sponsored by the Wisconsin Association of Criminal Defense Lawyers, Wisconsin Dells, WI., October 8, 2010

“Firearms and Ballistics,” presented at “Uses and Abuses of Forensic Science: Deconstructing the Myth,” Annual Western All-Star Conference and Confabulation,” sponsored by Federal Defender Services of Idaho and The Idaho Association of Criminal Defense Lawyers, October 1, 2010

Panelist in a session on “Rising to the Challenge of the NRC,” at a program on “Forensic Science on Trial,” New York City Bar Association, April 19, 2010

“Firearms and Toolmarks,” presented at Missouri State Public Defenders 2010 Defense College, Branson, Missouri, April 8, 2010

“Challenging Firearms and Toolmark ID,” presented at “Making Sense of Science III,” National Association of Criminal Defense Lawyers and California Attorneys for Criminal Justice’s 3rd Annual Forensic Science Seminar, Las Vegas, NV, March 26, 2010

“Forensic Firearms Evidence,” presented at “Life in the Balance: A Capital Defense Training Program,” sponsored by the National Legal Aid & Defender Association and the Tennessee District Public Defenders Conference, Nashville, Tenn., March 7, 2010

Panelist in a plenary session on “Introduction and Overview of National Academy of Sciences Report, Strengthening Forensic Science in the US: A Path Forward” and in a breakout session for members of the Bar, at a seminar on “Finding and Interpreting the Science in Forensic Evidence: Impact of the NAS Report on the Judicial System,” sponsored by the Massachusetts Committee for Public Counsel Services, the Flaschner Judicial Institute and the Suffolk University Law School Center for Advanced Legal Studies and Macaronis Institute for Trial and Appellate Advocacy, Boston, MA, February 11, 2010

Panelist in a Plenary Session on “Is is science?: Fingerprints, toolmarks, and firearms identification” and presenter on toolmarks and firearms in “Breakouts to brainstorm forensic science with the experts,” 6th National Seminar on Forensic Evidence and the Criminal Law, sponsored by the Habeas Assistance and Training Counsel Project, San Diego, CA, January 7-10, 2010

Presented a Continuing Legal Education seminar on firearms and toolmark identification to the Bronx Defenders, December 10, 2009

“Challenging Firearms and Toolmark Identification,” presented at “A Forensic Science Summit, Moving into the 21st Century: Rethinking Forensic Evidence,” sponsored by the Maryland Office of the Public Defender, June 30, 2009

“Biting the Bullet: Challenging Firearms Evidence,” presented at the Fifth Annual Indigent Criminal Defense Seminar: Advanced Skills for the Experienced Practitioner, sponsored by the Supreme Court of Virginia and the Virginia State Bar, Richmond, VA, April 3, 2009

Panelist on “The Future of Forensics,” 4th Annual Harry F. Guggenheim Symposium on Crime in America: “A New Beginning? Exploring the Criminal Justice Challenges over the Next Four Years,” John Jay College of Criminal Justice, New York, NY, February 3, 2009

“*Daubert* Challenges to Firearms Identification,” presented at the 5th National Seminar on Forensic Science and the Law, sponsored by the Administrative Office of the U.S. Courts, Philadelphia, PA, January 10, 2009

“Firearms & Tool Marks,” presented at the Texas Criminal Defense Lawyers Association 6th Annual Forensics Seminar, Dallas, Tx, October 23, 2008

Guest Speaker, “‘I Know It When I See It’ and Criminalistics,” presented at the 34th Annual Northeastern Association of Forensic Scientists (NEAFS) Meeting General Session on “Debating the Forensic Science in Forensic Science,” October 3, 2008

“Challenging Firearms and Toolmark Identification,” presented at the 2008 Ohio Juvenile Defender Leadership Summit, May 29, 2008

“Firearms and Toolmarks,” presented at the Pennsylvania Juvenile Defender Statewide Training, April 18, 2008

“Overview of *Terry v. Ohio*,” presented at the Second James Fyfe Police Accountability Conference, “Stop and Frisk: Policy, Practice and Research,” John Jay College of Criminal Justice, February 28, 2008

“The Science/Junk Science of Firearms and Toolmark Identification,” presented at the Criminal Justice Section Annual Meeting and CLE, North Carolina Bar Association, November 16, 2007

Panel Member, Plenary on “CSI Portland: Using Forensic Science in Juvenile Defense,” and presenter of session on “Challenging Firearms & Toolmark Identification,” 11th Annual Juvenile Defender Leadership Summit, Portland, Oregon, October 20, 2007

“A Case Study in Science and the Law: Firearms and Toolmark Identification,” presented at the Legal Studies Workshop, John Jay College, October 9, 2007

“Firearms and Toolmarks,” presented at the Texas Criminal Defense Lawyers Association 5th Annual Forensics Seminar, Dallas, Tx, October 5, 2007

“Firearms,” presented at the Los Angeles Public Defender Forensic Science Conference, September 14, 2007

“Challenging Firearms and Toolmark Identification,” presented at the National Seminar for Federal Defenders, Miami, FL, May 31, 2007

“Gunshot Cases,” presented at the 2007 Capital Case Defense Seminar in Monterey, California, sponsored by the California Attorneys for Criminal Justice and California Public Defenders Association, February 18, 2007

“Firearms and Toolmark Identification: Legal and Scientific Issues,” presented at the New York University Law School Criminal Law Luncheon, October 10, 2006

“Challenging Firearms and Toolmark Evidence” and “Firearms and Toolmark Evidence: Advanced Issues and Bring Your Own Case,” presented at a conference on Death Penalty Defense and Forensic Science in Indiana, sponsored by the Indiana Public Defender Council, Sept. 15, 2006

“Firearms and Toolmark Identification: Legal Steps Forward, Scientific Steps Back,” Science Department Lecture Series, John Jay College, April 2006

Guest Speaker on Daubert/Frye Issues and Firearms and Toolmark Identification at the Forensic Science Ph.D. Student Colloquium, John Jay College, April 21, 2005

“Forensic DNA Analysis and The Admissibility of DNA and Other Scientific Evidence,” presentation (with co-presenters Henrietta Nunno and Lawrence Kobilinsky) to Spanish prosecutors (arranged by the U.S. Department of State, Office of International Visitors), John Jay College, March 2005

“The *Daubert* Revolution: Why Judges Get Decisions about the Admission of Scientific Evidence Right for the Wrong Reasons (and Then They Get Them Wrong),” presented at the Forensic Psychology Research Forum, John Jay College of Criminal Justice, November 2002

“A Market in Liberty?: Corruption, Cooperation, and the Federal Criminal Justice System,” presented at a conference on Corruption—Public & Private, Institute of Criminal Justice Ethics, John Jay College of Criminal Justice, September 2002

“The *Daubert* Myth of the Super-Expert Judge,” presented at the Annual Meeting of the Law and Society Association, May 2000

“Judges, Juries and Experts,” presented to the New York Group of the Society for Philosophy and Public Affairs, March 2000

External evaluator for a conference on Matters of Life and Death, hosted by the Department of Philosophy, Rutgers University-Newark, and the New Jersey Medical School-UMDNJ, March 2000

“Daubert and Falsifiability,” presented at the Annual Meeting of the Law and Society Association, June 1999

Roundtable moderator and commentator at a conference on Crime, Neo-Liberalism and the Risk Society, John Jay College of Criminal Justice, April 1999

“Judges as Super Scientists,” presented to the Princeton University Psychology Department, December 1998, and at annual meetings of the American Society of Criminology (November 1998) and the Law and Society Association (June 1998)

“Homes as Folding Umbrellas: The Supreme Court's Recent Cases on 'Knock and Announce',” presented at the Annual Meeting of the Law and Society Association, May 1997

“*Daubert v. Merrell Dow Pharmaceuticals*: The Supreme Court Versus Science,” presented to the Philosophy Department, the School of Criminal Justice and the College Honors Program at Rutgers University-Newark, April 1997; and in the Provost's Lecture Series on Philosophy and Criminal Justice, John Jay College of Criminal Justice, December 1995

“A Man's House Is His Castle’: The Supreme Court's New Decision on the 'Knock and Announce’ Rule,” presented at the Annual Meeting of the American Society of Criminology, November 1995

"Just Take Away Their Guns': The Hidden Racism of *Terry v. Ohio*," presented to the CUNY Law and Society Study Group, March 1995; to the New York Group of the Society for Philosophy and Public Affairs, February 1995; at the Annual Meeting of the American Society of Criminology, November 1994; and at a conference on International Perspectives on Crime, Drugs and Public Order, John Jay College of Criminal Justice, June 1994

Chaired panel on "Legal and Extra-Legal Issues in Law Enforcement" and delivered "Who's the We: Relations among the Citizenry, Criminal Defendants and the Police" at the Annual Meeting of the American Society of Criminology, November 1994

Delivered papers at conferences at the Westminster Institute for Ethics and Human Values (1982 and 1983) and Montclair State College (1979); at meetings of the American Philosophical Association (1983), the New York Group of the Society for Philosophy and Public Affairs (1978 and 1981), and the Public Choice Society (1981); and to the Philosophy Departments at The University of Wisconsin at Milwaukee (1981), Vassar College (1980), Oberlin College (1979), The Catholic University of America (1978), and The University of Maryland at Baltimore (1978)

Commented on papers at meetings of The American Political Science Association and the Public Choice Society (1980) and at a conference sponsored by the Rutgers University Philosophy Department (1978).

PROFESSIONAL ACTIVITIES

- | | |
|---|-----------------------------|
| Defense Expert on Firearms and Toolmark Identification, <i>United States v. Albert Taitano et al</i> , Criminal Case No. 10-00037 (D.N.Mariana Islands) (submitted affidavit; testified at <i>Daubert</i> hearing) | December 2010 –
May 2011 |
| Defense Expert on Toolmark Identification, <i>State of Florida v. Gary Michael Hilton</i> , Case No. 08CF697 (Circuit Ct. Second Judicial Cir. Leon Cty) (submitted affidavit, testified at <i>Frye</i> hearing and, via deposition, at trial) | June 2010-Jan. 2011 |
| Defense Expert on Firearms and Toolmark Identification, <i>People of the State of New York v. Dajon Givens</i> , 912 N.Y.S.2d 855 (NY Supreme Court Bronx County 2010) (submitted affidavit) | Aug. 2010 – Oct. 2010 |
| Defense Expert on Toolmark Identification, <i>United States v. Billi Jo Smallwood</i> , CRIMINAL ACTION NO. 5:08CR-38-R, 2010 WL 4168823 (W.D.Ky. Oct. 12, 2010) (submitted affidavit, testified at <i>Daubert</i> hearing) | April –August 2010 |
| Defense Expert on Firearms and Toolmark Identification, <i>Commonwealth of Massachusetts v. George Duarte</i> , Indictment Nos. BRRCR2008-00372 (New Bedford Superior Court) (submitted affidavit, testified at admissibility hearing) | June 2010 |

Defense Expert on Firearms and Toolmark Identification, <i>People of the State of New York v. Nicholas Jerome Morgan</i> , Indictment #: 2005-0783 (NY Supreme Court Monroe County) (submitted affidavits)	Feb. 2010 –May 2010
Defense Expert on Firearms and Toolmark Identification, <i>United States v. Marius St. Gerard</i> , SGT, U.S. Army, HSC, 1 st Bn, 10 th SF Group (Airborne) APO AE 09107 (U.S. Army Trial Judiciary 5 th Judicial Circuit, Germany June 7, 2010) (testified at <i>Daubert</i> hearing)	May 2010
Defense Expert on Firearms and Toolmark Identification, <i>People of the State of California v. Ahmed Ali</i> , Case No. SCD 215890 (Superior Ct. San Diego Co.) (submitted affidavit)	May 2010
Defense Expert on Firearms and Toolmark Identification, <i>United States v. Guerrero</i> , 09-cr-0339 (SDNY 2010) (submitted affidavit, testified at <i>Daubert</i> hearing)	May 2010
Defense Expert on Firearms and Toolmark Identification, <i>United States v. Anh The Duong</i> , Action No. CR 01-20154 JF (N.D. Cal.San Jose Div.) (submitted declarations)	Dec. 2009-May 2010
Defense Expert on Firearms and Toolmark Identification, <i>State of North Carolina. v. Vonzeil Adams</i> , File No. 05CRS5889, 05CRS53713 (Superior Ct. Div. Pitt County) (submitted affidavit, testified at admissibility hearing)	June 2009, March 2010
Defense Expert on Firearms and Toolmark Identification, <i>State of Ohio v. Joseph Hudson</i> , CR: CR-08-517997-A ,Cuyahoga County Common Pleas Court, Case No. 514703 (submitted affidavit, testified at admissibility hearing)	Aug. 2009- Feb. 2010
Defense Expert on Firearms and Toolmark Identification, <i>United States v. Walik Williams</i> , 09 CR 590 (FB) (E.D.N.Y.) (submitted affidavit)	Dec. 2009
Defense Expert on Firearms and Toolmark Identification, <i>Commonwealth of Massachusetts v. Robert Iacoviello, Jr.</i> , Indictment No. 2007-11310 (Mass. Superior Court Department of the Sussex Trial Court) (submitted affidavit)	Dec. 2009-Jan.2010
Advisory Board, Ohio Public Defender Wrongful Conviction Project	August 2009-
Defense Expert on Firearms and Toolmark Identification, <i>Maryland v.</i>	Sept. 2009

Whittingham, Case No. CT-08-1682X (Cir. Ct. Prince George's Co.
(submitted affidavit)

Defense Expert on Firearms and Toolmark Identification, Aug. 2009 – Feb. 2010
People of the State of Colorado v. Bryan Nickerson, 08CR4722
(Dist. Ct., City & County of Denver, Colorado) (submitted
affidavit)

Defense Expert on Firearms and Toolmark Identification, *United States* Sept.-Oct. 2009
v. Tavon Mouzone, Magistrate's Report and Recommendation adopted
and incorporated in *United States v. Willock*, 696 F.Supp.2d 536
(D.Md. 2010) (submitted affidavits; testified at *Daubert* hearing)

Defense Expert on Firearms and Toolmark Identification, *State of Ohio* July-Oct. 2009
v. Demonte Merriweather, Cuyahoga County Common Pleas Court,
Case No. 514703 (submitted affidavit, testified at admissibility hearing)

People of the State of Colorado v. Willie Clark, 08CR10425 August 2009
(Dist. Ct., Denver County, Colorado) (submitted
affidavit)

Defense Expert on Firearms and Toolmark Identification, July- Oct. 2009
People of New York v. Giovanni Eligio, Indictment No. 4097-08
(Supreme Court of the State of New York Bronx County, Criminal
Division) (submitted affidavit)

Defense Expert on Firearms and Toolmark Identification, July – Sept. 2009
Commonwealth of Massachusetts v. Kieson Cuffee and
Daniel Williams, Indictment Nos. 08-0664 and 08-0665
(Mass. Superior Court Department of the Hampden Trial Court)
(submitted affidavit)

Defense Consultant on Firearms and Toolmark Identification, June 2009
Commonwealth of Virginia v. Chappell, Case Number CF 000157
(Circuit Ct. for the City of Alexandria)(submitted affidavit)

Defense Expert on Firearms and Toolmark Identification, May- July 2009
State of Wisconsin v. Christopher Jones, Milwaukee County
Case No. 2006CF4929 (Circuit Ct. Milwaukee County)
(submitted affidavit)

Defense Expert on Firearms and Toolmark Identification, May – Sept. 2009
United States v. Donald Scott Taylor, 663 F.Supp.2d 1170
(D.N.M. 2009) (submitted affidavits; testified at *Daubert* hearing)

Defense Expert on Firearms and Toolmark Identification, April – Aug. 2009

State of California v. Earl Eugene Rose, Jr., Case # FVA 010494 (Superior Ct. San Bernardino Co.) (testified at admissibility hearing)

Defense Expert on Firearms and Toolmark Identification, *Cannon v. Belleque*, Case No. 04C10127 (Cir.Ct. Marion Co. Oregon) (submitted affidavit)

March 2008- Dec. 2009

Defense Expert on Firearms and Toolmark Identification, *State of South Carolina v. Edward Freiburger*, CA No. 06-CP-40-3866 (Richland Co. Ct. of Common Pleas) (testified at post-conviction relief hearing)

Oct. 2008-Aug. 2009

Defense Expert on Firearms and Toolmark Identification, *United States v. Damion Jones*, 2008 CF2 23353 (D.C. Super. Ct.) (submitted affidavit)

April 2009

Defense Consultant on Firearms and Toolmark Identification, *Commonwealth of Pennsylvania v. Steven Carl Colegrove*, No. CP-08-CR000785-2007 (Court of Common Pleas Bradford County) (submitted affidavits and testified at admissibility hearing)

Dec. 2008 – Mar.2009

Defense Consultant on Firearms and Toolmark Identification, *People v. Joseph Melcher*, Ct.Nos. 2288575 & 2292777 (San Francisco Superior Ct.) (submitted affidavit)

Dec. 2008-Mar. 2009

Defense Expert on Firearms and Toolmark Identification, *State of Ohio v. Eashawn Anderson*, Case No. 50953 (Court of Common Pleas Cuyahoga Co.) (submitted affidavit; testified at admissibility hearing)

Dec. 2008 –Mar. 2009

Defense Expert on Firearms and Toolmark Identification, *Joshua Cain v. Belleque* (D.Or.) (submitted affidavit)

Oct. 2008- Jan. 2009

Defense Expert on Firearms and Toolmark Identification, *United States v. Willie Gayden*, 2006 CFI 27899 (D.C. Super Ct.) (submitted affidavit)

Oct. 2008

Affidavit and Testimony from *United States v. Damian Brown et al.*, 05 Cr. 538 (SDNY) and “Commentary on Nichols R.G., Defending the Scientific Foundations of the Firearms and Tool Mark Identification Discipline: Responding to Recent Challenges, J. Forens. Sci. 2007 May; 52(3): 586-94,” *Journal of Forensic Sciences* 52(6): 1414-15 (November 2007) considered as evidence at *Daubert* hearing in *United States v. Glynn*, 578 F.Supp.2d 567 (S.D.N.Y. 2008)

June 2008

<p>Defense Expert on Firearms and Toolmark Identification, <i>United States v. Damian Brown et al.</i>, 05 Cr. 538 (S.D.N.Y.) (submitted affidavit, testified at <i>Daubert</i> hearing and advised attorney on cross-examination of prosecution witnesses)</p>	<p>June 2008</p>
<p>Defense Expert on Firearms and Toolmark Identification, <i>United States v. Worsley</i>, Criminal No.2003 FEL 6856 (Superior Ct. of the Dist. of Columbia Criminal Division- Felony Branch) (submitted affidavit)</p>	<p>Mar.-Sept. 2008</p>
<p>Defense Expert on Firearms and Toolmark Identification, <i>United States v. English</i>, Criminal N. 2007 CF1 16618 (Superior Ct. District of Columbia Criminal Division-Felony Branch) (submitted affidavit)</p>	<p>Feb.- Mar. 2008</p>
<p>Defense Expert on Firearms and Toolmark Identification, <i>United States v. Khalid Barnes, et al.</i>, S9 04 Cr.186 (SCR) (SDNY) (submitted affidavit)</p>	<p>February 2008</p>
<p>Assistant Director, Cybercrime Studies Center, John Jay College of Criminal Justice</p>	<p>February 2008-</p>
<p>Defense Consultant on Firearms and Toolmark Identification, <i>Maryland v. Fleming</i>, Criminal Case No. 06-46624 (Circuit Ct. Howard Co.) (submitted affidavits for pre-trial motion; consulted on appeal before the Md. Special Ct. of Appeals)</p>	<p>Jan.-Feb. 2008, Jan. 2010</p>
<p>Participant, Fordham Law School Information Law and Policy Roundtable</p>	<p>Spring 2007-</p>
<p>Defense Expert on Firearms and Toolmark Identification, <i>United States v. Natson No.: 4:05-CR-21</i> (M.D. Ga. Columbus Div.) (submitted F.R.Cr.P. 16 Statement)</p>	<p>February 2007</p>
<p>Defense Expert on Firearms and Toolmark Identification, <i>United States v. Diaz</i>, Slip Copy, NO. CR 05-00167 WHA, 2007 WL 485967 (N.D.Cal. Feb 12, 2007) (testified at <i>Daubert</i> hearing)</p>	<p>November 2006</p>
<p>Steering Committee, Cybercrime Studies Center, John Jay College</p>	<p>Fall 2006-</p>
<p>Defense Expert on Firearms and Toolmark Identification, <i>Commonwealth of Massachusetts v. Meeks and Warner</i>, NO. CRIM.A. 2002-10961, CRIM.A. 2003-10575, 2006 WL 2819423 (Mass.Super. Sep 28, 2006) (testified in admissibility hearing and submitted affidavit)</p>	<p>April- May 2006</p>

Defense Expert on Firearms and Toolmark Identification, <i>United States v. Saldana</i> , CR 04-415 (A)-PA (C.D. Cal.) (submitted affidavit)	April 2006
Defense Expert on Firearms and Toolmark Identification, <i>United States v. Monteiro</i> , 407 F. Supp. 2d 351 (D.Mass. 2006) (submitted affidavit)	October 2005
Defense Expert on Firearms and Toolmark Identification, Post-Con- Viction Proceedings in <i>North Carolina v. White</i> (N.C. General Court Of Justice, Superior Ct. Div., Craven County, 99 CRS 10229-30) (sub- mitted affidavit)	May 2005
Defense Expert on Toolmark Identification, <i>United States v. Kain</i> , Crim. No. 03-573-1 (E.D.Pa. 2004) (advised defense counsel on scientific issues and cross examination of prosecution expert)	Feb.- Mar. 2004
Ph.D. Examiner, Philosophy Department, University of New England, Armidale, Australia	Dec. 2003 – March 2004
Appellant’s Brief, on Behalf of Adina Schwartz as Amicus Curiae, in <i>Ramirez v. State</i> , 810 So.2d 836 (Fla. 2001) (distributed and discussed by Bruce Moran, Criminalist IV, Sacramento County District Attorney’s Office, at a meeting of the California Association of Criminalists (CAC), March 2002)	December 2001
Comments to Senator Hillary Clinton on a Draft of a Bill to Prohibit Racial Profiling	June 2001
Reviewer of test materials for ETS	1999-2001
Comments on Proposed Rule 702 of the of Practice and Procedure of the Administrative Office of United States Courts, summarized at http://www.uscourts.gov/rules/archive/1999/propevid.pdf	January 1999
Associate Editor, <i>Criminal Justice Ethics</i>	1997-present
Participant, Hoffinger (formerly, Fortunoff) Colloquium on Criminal Justice, New York University	1993-present
Editorial Review Board, <i>Human Rights Quarterly</i>	1981-1983
Editorial Board, <i>Ethics</i>	1980-1983