

DAVID C. GRAY

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Baltimore, MD 21201

(410) 706-5986
dgray@law.umaryland.edu

ACADEMIC APPOINTMENTS

UNIVERSITY OF MARYLAND FRANCIS KING CAREY SCHOOL OF LAW, Baltimore, Maryland

Jacob A France Professor of Law, 2019-present

University of Maryland Researcher of the Year, 2019

Professor of Law (with tenure), 2013-2019

Professor of the Year, 2012-13

Associate Professor of Law, 2011-2013

Assistant Professor of Law, 2008-2011

—Faculty Senate (2018-present)

—Faculty Advisor, Criminal Law Society (2009-Present)

—Interim Director, International Law Program (2013-2014)

—Committee Service: Administrative Committee (2017-2018) (Chair, 2018-present); Tenure Committee Chair (2016-2017); Professionalism and Diversity Committee (2015-2017); Clerkship Committee (2008-2014); International and Comparative Law Committee (2008-2009) (Chair, 2013-2014). Library and Technology Committee (2012-2013); Appointments Committee (2011-2012); Curriculum Committee (2009-2010).

DUKE UNIVERSITY SCHOOL OF LAW, Durham, North Carolina

Visiting Assistant Professor of Law, 2005-2006

NORTHWESTERN UNIVERSITY, Department of Philosophy, Evanston, Illinois

Lecturer, 2000-2001

EDUCATION

NEW YORK UNIVERSITY SCHOOL OF LAW, New York, New York

J.D., *Magna Cum Laude*, May 2003

Honors: Dean's Scholarship; George P. Foulk Award; Order of the Coif; Florence Allen Scholar; Moot Court Board; Order of the Barristers; Jessup Moot Court Team (Best Oralist, Atlantic Region, 2003)

NORTHWESTERN UNIVERSITY, Evanston, Illinois

M.A. in Philosophy, June 1998

Ph.D. in Philosophy, December 2004

AOS: Philosophy of Law
Social and Political Philosophy

AOC: Foucault
Critical Theory/Habermas
Feminist Legal Theory

Dissertation: Philosophical Dimensions of Criminal Trials in Transitions to Democracy

Honors: University Fellow

UNIVERSITY OF VIRGINIA, Charlottesville, Virginia

B.A. with *Distinction* in Anthropology and Philosophy, May 1995

Honors: Echols Scholar; University Committee on Sexual Assault and Judicial Review (Judge); Judiciary Committee (Judge; Counselor); Resident Staff

BOOKS

[THE FOURTH AMENDMENT IN AN AGE OF SURVEILLANCE](#)

—Cambridge University Press (2017)
ISBN: 9781107133235/9781107589780
Reviews: [The Weekly Standard](#), [Criminal Law and Justice Books](#)

[THE CAMBRIDGE HANDBOOK OF SURVEILLANCE LAW](#)

—Cambridge University Press (2017) (with Stephen Henderson)
ISBN: 9781107137943/1107137942

[STAY AHEAD OF THE PACK: YOUR COMPREHENSIVE GUIDE TO THE UPPER LEVEL CURRICULUM](#)

—West (2018) (with Robert Glicksman, Andrew Lund, Eric Miller, Gregg Polsky, & Bradley Wendel)

[GET A RUNNING START: YOUR COMPREHENSIVE GUIDE TO THE FIRST YEAR CURRICULUM](#)

—West (2016) (with Don Gifford, Mark Graber, Bill Richman, David Super, & Michael Van Alstine)
ISBN: 9781634596831/1634596838

SUBMITTED ARTICLES & ESSAYS

[The Fourth Amendment Categorical Imperative](#)

—11 MICH. L. REV. ONLINE 14 (2017)

[Fourth Amendment Remedies as Rights: The Warrant Requirement](#)

—96 B.U. L. REV. 425 (2016)

[The Right to Quantitative Privacy](#)

—98 MINN. L. REV. 62 (2013) (with Danielle Keats Citron)
· Cited and quoted in *United States v. Graham*, 12-4659 (4th Cir., Aug. 5, 2015)

[A Spectacular Non Sequitur: The Supreme Court's Contemporary Fourth Amendment Exclusionary Rule Jurisprudence](#)

—50 AM. CRIM. L. REV. 1 (2013)
· Cited in LAURENCE TRIBE & JOSHUA MATZ, *UNCERTAIN JUSTICE* 305 (2014)

[The Supreme Court's Contemporary Silver Platter Doctrine](#)

—91 TEXAS L. REV. 7 (2012) (with Meagan Cooper & David McAloon)

[Beyond Experience: Getting Retributive Justice Right](#)

—99 CAL. L. REV. 605 (2011) (with Dan Markel & Chad Flanders)

[Punishment as Suffering](#)

—63 VAND. L. REV. 1619 (2010)
· Cited in KADISH, SCHULHOFER, STEIKER, & BARKOW, *CRIMINAL LAW AND ITS PROCESSES* 1187 (9th ed. 2012)
· Cited in Alec Walen, *Retributive Justice*, in *STANFORD ENCYCLOPEDIA OF PHILOSOPHY* (2014)

[A No-Excuse Approach to Transitional Justice](#)

—87 WASH. U. L. REV. 1043 (2010)

[Extraordinary Justice](#)

—62 ALA. L. REV. 55 (2010)

[Why Justice Scalia Should Be a Constitutional Comparativist . . . Sometimes](#)

—59 STAN. L. REV. 1249 (2007)

[An Excuse-Centered Approach to Transitional Justice](#)

—74 FORDHAM L. REV. 2621 (2006)

[A Prayer for Constitutional Comparativism in Eighth Amendment Cases](#)

—18:4 FED. SENT'G REP. 237 (2006)

INVITED ARTICLES & ESSAYS

[*Collective Rights and the Fourth Amendment after Carpenter v. United States*](#)

—__ MD. L. REV. __ (2019)

[*Retributivism, Communication, and the Death Penalty*](#)

—51 TEX. TECH. L. REV. 1 (2018)

[*Collective Standing Under the Fourth Amendment*](#)

—55 AM. CRIM. L. REV. 77 (2018)

[*Dangerous Dicta*](#)

—72 WASH. & LEE L. REV. 1181 (2015)

[*A Collective Right to Be Secure from Unreasonable Tracking*](#)

—48 TEX. TECH. L. REV. 189 (2015)

[*The ABA Standards for Criminal Justice, Law Enforcement Access to Third Party Records: Critical Perspectives from a Technology-Centered Approach to Quantitative Privacy*](#)

—66 OK. L. REV. 919 (2014)

[*Addressing the Harm of Total Surveillance: A Reply to Professor Neil Richards*](#)

—126 HARV. L. REV. F. 262 (2013) (with Danielle Keats Citron)

· Reviewed in DAILY KOS, *The Dangers of Surveillance: Harvard Law Point, Counterpoint* (July 17, 2013)

[*Fighting Cybercrime After United States v. Jones*](#)

—102 J. CRIM. L. & CRIMINOLOGY 745 (2013) (with Danielle Keats Citron & Liz Clark Rinehart)

[*A Shattered Looking Glass: The Pitfalls and Potential of the Mosaic Theory of Fourth Amendment Privacy*](#)

—14 N.C. J.L. & TECH. 381 (2013) (with Danielle Keats Citron)

[*In Defense of Specialized Theft Statutes*](#)

—47 NEW ENGLAND L. REV. 861 (2013) (with Chelsea Jones); Symposium on Stuart Green's THIRTEEN WAYS TO STEAL A BICYCLE

[*The Supreme Court's Contemporary Silver Platter Doctrine*](#)

—40 SEAR. & SEIZ. L. REP. 69 (2013) (with Meagan Cooper & David McAloon)

[*A Modest Appeal for Decent Respect*](#)

—23:1 FED. SENT'G REP. 72 (2010) (with Jessica Olive)

[*Retributivism for Progressives*](#)

—70 MD. L. REV. 141 (2010) (with Jonathan Huber)

· Cited in Alec Walen, *Retributive Justice*, in STANFORD ENCYCLOPEDIA OF PHILOSOPHY (2014)

[*Constitutional Faith and Dynamic Stability*](#)

—69 MD. L. REV. 26 (2009)

[*Devilry, Complicity, and Greed: Transitional Justice and Odious Debt*](#)

—70 LAW & CONTEMP. PROBS. 137 (2007)

[*What's So Special About Transitional Justice?*](#)

—100 AM. SOC'Y INT'L L. PROC. 147 (2006)

BOOK CHAPTERS

Justice and Mercy in the Face of Excessive Suffering
—in NUSSBAUM AND LAW (Robin West, ed., 2015)

Constitutional Criminal Procedure
—in AMERICAN GOVERNANCE 375 (Stephen L. Schechter et al., eds., 2015) (with Michael Jacko)

[Feminist Perspectives on Extraordinary Justice](#)
—in FEMINIST PERSPECTIVES ON TRANSITIONAL JUSTICE 63 (Martha Fineman & Estelle Zinsstag, eds., 2013)
(with Benjamin Levin)

[Transitional Disclosures: What Transitional Justice Reveals About “Law”](#)
—in TRANSITIONS 147 (Austin Sarat, ed.) (2012)

BOOK REVIEWS

[Repairing Wrongs/Restructuring Societies](#)
—4:2 INT’L J. TRANSITIONAL JUSTICE 296 (2010), reviewing:

- THE GENDER OF REPARATIONS: UNSETTLING SEXUAL HIERARCHIES WHILE REDRESSING HUMAN RIGHTS VIOLATIONS (Ruth Rubio-Marín ed., 2009)
- WAGING WAR, MAKING PEACE: REPARATIONS AND HUMAN RIGHTS (Barbara R. Johnston & Susan Slyomovics eds., 2008)
- ANTOINE BUYSE, POST-CONFLICT HOUSING RESTITUTION: THE EUROPEAN HUMAN RIGHTS PERSPECTIVE, WITH A CASE STUDY ON BOSNIA AND HERZEGOVINA (2008)

[Rule Skepticism, “Strategy,” and the Limits of International Law](#)
—46 VA. J. INT’L L. 563 (2006), reviewing JACK GOLDSMITH & ERIC POSNER, THE LIMITS OF INTERNATIONAL LAW (2005)

WORKS IN PROGRESS

A Right to Go Dark (?)
(examining the right to encryption of personal devices on 4th Amendment, 5th Amendment, and common law grounds)

You Know You’ve Gotta Help Me Out
(a critical reconstruction of omission offenses arguing that there is no logical or metaphysical ground for maintaining an Act/Omission distinction but concluding that common law treatments of omission offenses may still bear normative weight if grounded in a robust account of epistemic duties)

Justice and Mercy
(describing the proper role for mercy and forgiveness in objectivist theories of punishment)

AMICUS BRIEFS

Carpenter v. United States, United States Supreme Court (August 14, 2017)

—Co-author and principal signatory.

In the Matter of the Search of An Apple iPhone Seized During the Execution of a Search Warrant on a Black Lexus IS300, California License Plate 35KGD203, United States District Court, Central District of California (March 3, 2016)

—Contributing author and signatory, dismissed on government motion.

State of Maryland v. Andrews, No. 1496, Maryland Court of Special Appeals (September Term, 2015)

—Sole author and signatory. Opinion reported at *State v. Andrews*, __ A.3d __, 2016 WL 1254567, 2016 Md. App. LEXIS 33 (2016).

LEGISLATIVE TESTIMONY AND PRESENTATIONS

Maryland House of Delegates, Judiciary Committee, *Accessing Historical Location Data*, Feb. 5, 2019.

Maryland House of Delegates, Judiciary Committee, *Surveillance, Privacy, & the Fourth Amendment*, Jan. 18, 2018.

STUDENT PUBLICATIONS

- Jessica Kyle, [*The "New Legal Reality"? Peace, Punishment, and Security Council Referrals to the ICC*](#)
—25 TRANSNAT'L L. & CONTEMP. PROBS ____ (2015) (submitted article)
- Michael Jacko, [*Constitutional Criminal Procedure*](#)
—in AMERICAN GOVERNANCE 375 (Stephen L. Schechter et al., eds., 2015) (with David Gray)
- Liz Clark Rinehart, [*Fighting Cybercrime After United States v. Jones*](#)
—102 J. CRIM. L. & CRIMINOLOGY 745 (2013) (with David Gray & Danielle Keats Citron)
- Jessica Kyle, [*Kenya's ICC Withdrawal: The Wrong Face for ICC-Africa Relationship Debates*](#)
—JURIST, Oct. 8, 2013
- Liz Clark Rinehart, [*The Zimmerman Verdict and Jury Nullification*](#)
—JURIST, Aug. 7, 2013
- Chelsea Jones, [*In Defense of Specialized Theft Statutes*](#)
—47 New England L. Rev. 861 (2013) (with David Gray) (Symposium on Stuart Green's *Thirteen Ways to Steal a Bicycle*)
- Benjamin Levin, [*Feminist Perspectives on Extraordinary Justice*](#)
—in FEMINIST PERSPECTIVES ON TRANSITIONAL JUSTICE (Martha Fineman & Estelle Zinsstag eds.)
(with David Gray) (2013)
(presented by Mr. Levin at the *Law and Society Association* Annual Meeting, San Francisco, California, June 4, 2011)
- David McAloon & Samantha Spencer, [*Murder*](#)
—ENCYCLOPEDIA OF CRIMINOLOGY AND CRIMINAL JUSTICE (Jay S. Albanese, ed. 2013)
- David McAloon, [*Manslaughter*](#)
—ENCYCLOPEDIA OF CRIMINOLOGY AND CRIMINAL JUSTICE (Jay S. Albanese, ed. 2013)
- Daniel Kobrin, [*Jurisdiction*](#)
—ENCYCLOPEDIA OF CRIMINOLOGY AND CRIMINAL JUSTICE (Jay S. Albanese, ed. 2013)
- Meagan Cooper & David McAloon, [*The Supreme Court's Contemporary Silver Platter Doctrine*](#)
—91 TEXAS L. REV. 7 (2012) (with David Gray) (submitted article)
- Hanna Marie Sheehan, [*J.D.B. v. North Carolina*](#)
—72 MD. L. REV. 296 (2012) (note)
- Claude-Eric Nicolas, [*Connick v. Thompson: Unclear Motives Behind a Misguided Result*](#)
—72 MD. L. REV. Endnotes 92 (2012) (note)
- David McAloon, [*Davis v. United States*](#)
—71 MD. L. REV. 1258 (2012) (note)
- Maggie Grace, [*Criminal Alternative Dispute Resolution: Restoring Justice, Respecting Responsibility, and Renewing Norms*](#)
—34 VERMONT L. REV. 563 (2010) (submitted article)
(presented by Ms. Grace at the *Law and Society Association* Annual Meeting, Chicago, Illinois, May 27, 2010)
- Jessica Olive, [*A Modest Appeal for Decent Respect*](#)
—23:1 FED. SENT'G REP. 72 (2010) (with David Gray)
- Sara Klemm, [*Keeping Prevention in the Crosshairs: A Better HIV Exposure Law for Maryland*](#)
—13 J. Health Care L. & Pol. 495 (2010) (note)
- Jonathan Huber, [*Retributivism for Progressives*](#)
—70 MD. L. REV. 141 (2010) (with David Gray)
- Alexandra Millard, [*District Attorney's Office for Third Judicial Dist. v. Osborne: Leaving Prisoners' Access to DNA Evidence in Limbo*](#)
—69 MD. L. REV. 954 (2010) (note)

SELECTED PANELS AND PUBLIC PRESENTATIONS

Presentation: Collective Rights and the Fourth Amendment after *Carpenter*

—*Duke Law*

Durham, North Carolina, April 6, 2019

—*Annual Constitutional Law Schmooze*

Baltimore, Maryland, March 8, 2019

Presentation: The Collective Nature of Criminal Procedure Rights

—*Annual Criminal Law Symposium, Texas Tech University School of Law*

Lubbock, Texas, March 29, 2019

Panel: Rethinking Punishment

—*American Philosophical Association, Eastern Division Annual Meeting*

New York, New York, January 8, 2019

Presentation: The Right to Go Dark (?)

—*University of Pittsburgh School of Law*

Pittsburgh, Pennsylvania, March 20, 2018

—*Computer Privacy and Data Protection Conference*

Brussels, Belgium, January 25, 2018

Presentation: The Fourth Amendment in an Age of Surveillance

—*The University of Maryland Program on Justice and Legal Thought*

College Park, Maryland, March 27, 2019

—*Enoch Pratt Free Library*

Baltimore, Maryland, October 25, 2017

—*The Ivy Bookshop*

Baltimore, Maryland, October 3, 2017

—*Maryland Constitution Day*

Baltimore, Maryland, September 18, 2017

—*Virginia Polytechnic Institute and State University*

Blacksburg, Virginia, September 17, 2017

—*Georgetown Law*

Washington, District of Columbia, March 3, 2017

—*Maryland Law Review Symposium on Cyber Law*

Baltimore, Maryland, February 10, 2017

—*University of North Carolina School of Law*

Chapel Hill, North Carolina, October 11, 2016

—*United States Military Academy*

West Point, New York, October 3, 2016

—*University of Bologna*

Bologna, Italy, May 13, 2016

—*Elon University School of Law*

Greensboro, North Carolina, March 4, 2016

Presentation: Retributivism, Communication, and the Death Penalty

—*Southeastern Association of Law Schools Annual Meeting*

Ft. Lauderdale, Florida, August 5, 2018

—*Annual Criminal Law Symposium, Texas Tech University School of Law*
Lubbock, Texas, April 13, 2018

Panel: The Apple Encryption Controversy

—*Duke Law School*
Durham, North Carolina, April 13, 2016

Presentation: Fourth Amendment Remedies as Rights

—*University of North Carolina School of Law*
Chapel Hill, North Carolina, November 13, 2015

—*Southeastern Association of Law Schools Annual Meeting*
Boca Raton, Florida, July 30, 2015

—*Symposium on Government Access to Data in the Cloud, New York University School of Law*
New York, New York, May 26, 2015

—*Annual Criminal Law Symposium, Texas Tech University School of Law*
Lubbock, Texas, April 17, 2015

—*Symposium on Cybersurveillance in the Post-Snowden Era, Washington & Lee University School of Law*
Lexington, Virginia, January 24, 2015

—*Symposium on Digital Privacy, New England Law*
Boston, Massachusetts, October 16, 2014

—*Southeastern Association of Law Schools Annual Meeting*
Amelia Island, Florida, August 6, 2014

—*Privacy Law Scholars Conference*
Washington, District of Columbia, June 5, 2014

—*Law and Economics Center, George Mason University*
Arlington, Virginia, May 14, 2014

—*Georgetown Law*
Washington, District of Columbia, October 9, 2013

Presentation: You Know You've Gotta Help Me Out

—*Vanderbilt School of Law*
Nashville, Tennessee, February 17, 2016

—*Georgetown Law*
Washington, District of Columbia, April 6, 2015

—*Southeastern Association of Law Schools Annual Meeting*
Palm Beach, Florida, August 9, 2013

—*New York University School of Law Criminal Theory Colloquium*
New York, New York, November 3, 2011

—*Law and Society Association Annual Meeting*
Chicago, Illinois, May 29, 2010

Panel: Police Relations: The Problem and Solutions

—*University of Maryland School of Law*
Baltimore, Maryland, October 13, 2015

Panel: Police, Privacy, and New Technologies

—*American Bar Association Continuing Education Webinar*
Chicago, Illinois, March 12, 2014

Presentation: The Right to Quantitative Privacy

- Fourth Amendment Seminar, University of North Carolina School of Law*
Chapel Hill, North Carolina, October 2, 2014
- Roundtable on the ABA Standards on Law Enforcement Access to Third Party Records, University of Oklahoma*
Norman, Oklahoma, November 15, 2013
- Computers, Freedom, and Privacy Conference*
Washington, District of Columbia, June 25, 2013
- Privacy Law Scholars Conference*
Berkeley, California, June 6, 2013
- Law and Society Association Annual Meeting*
Boston, Massachusetts, June 1, 2013
- Conference on Locational Privacy and Biometrics, Yale Law School*
New Haven, Connecticut, March 3, 2013
- Conference on Cybercrime, Northwestern University School of Law*
Chicago, Illinois, February 1, 2013
- Symposium on United States v. Jones, University of North Carolina School of Law*
Chapel Hill, North Carolina, January 25, 2013
- University of North Carolina School of Law*
Chapel Hill, North Carolina, November 1, 2012
- American Bar Association/ Association of American Law Schools Criminal Justice Sections*
Washington, District of Columbia, October 25, 2012
- Information Society Project at Yale Law School*
New Haven, Connecticut, October 17, 2012

Presentation: A Spectacular Non-Sequitur/The Supreme Court's Contemporary Silver Platter Doctrine

- Southeastern Association of Law Schools Annual Meeting*
Boca Raton, Florida, July 29, 2015
- The Ohio State Moritz College of Law*
Columbus, Ohio, January 11, 2012
- University of Utah S.J. Quinney College of Law*
Salt Lake City, Utah, October 5, 2011
- Case Western Reserve School of Law*
Cleveland, Ohio, September 26, 2011
- Law and Society Association Annual Meeting*
San Francisco, California, June 2, 2011

Panel: How Should Punishment Address Vulnerability and Adaptation?

- Southeastern Association of Law Schools Annual Meeting*
Amelia Island, Florida, August 3, 2012

Panel: Science and the New Rehabilitation

- Southeastern Association of Law Schools Annual Meeting*
Amelia Island, Florida, July 31, 2012

Presentation: Justice and Mercy

—*Law and Society Association Annual Meeting*
Honolulu, Hawaii, June 7, 2012

Presentation: Dynamic Stability and the Pathology of Mass Violence

—*Minerva Center for Human Rights, Hebrew University*
Jerusalem, Israel, November 13, 2011

Presentation: Extraordinary Justice

—*European Consortium for Political Research*
Reykjavík, Iceland, August 25, 2011
—*Law and Society Association Annual Meeting*
San Francisco, California, June 4, 2011

Presentation: Feminist Perspectives on Extraordinary Justice

—*AALS Workshop on Rethinking Equality*
Washington, District of Columbia, June 22, 2011

Presentation: A No-Excuse Approach to Transitional Justice

—*Law and Society Association Annual Meeting*
Denver, Colorado, May 29, 2009
—*Emory School of Law*
Atlanta, Georgia, September 19, 2008

Presentation: Constitutional Faith

—*Constitutional Schmooze*
Baltimore, Maryland, February 27, 2009

Presentation: Why Justice Scalia Should be a Constitutional Comparativist . . . Sometimes

—*Stanford Law School*
Palo Alto, California, February 16, 2007

Presentation: Devilry, Complicity, and Greed: Transitional Justice and Odious Debt

—*Duke Law School*
Durham, North Carolina, January 26, 2007

Presentation: An Excuse-Centered Approach to Transitional Justice

—*American Society of International Law Annual Meeting*
Washington, District of Columbia, March 30, 2006

Commentator: Ruptures, Rivalries, and Reconciliations in Modern East Asia

—*Triangle East Asia Colloquium*
Durham, North Carolina, March 25, 2006

Presentation: Proposal for a Justice that is Transitional

—*29th Annual Conference on Value Inquiry*
Tulsa, Oklahoma, April 26, 2001

Presentation: Post-Archeological Revolutions

—*Michigan State University*
East Lansing, Michigan, October 6, 2000

COURSES TAUGHT

UNIVERSITY OF MARYLAND SCHOOL OF LAW, Baltimore, Maryland

Criminal Law
Criminal Procedure (Investigations)
Evidence
International Criminal Law
Legal Analysis and Writing (with Criminal Law)
Philosophy of Law/Jurisprudence
Seminar for Future Law Clerks

UNIVERSITY OF MARYLAND, College Park, Maryland

Law in a Just Society

DUKE UNIVERSITY SCHOOL OF LAW, Durham, North Carolina

Criminal Law

NORTHWESTERN UNIVERSITY, Evanston, Illinois

Gender Issues in the Law
Social and Political Philosophy

PROFESSIONAL MEMBERSHIPS

American Law Institute (Elected Member)

American Philosophical Association

—Philosophy and Law Committee (2012-2015)

District of Columbia Bar

Pennsylvania Bar (inactive)

Massachusetts Bar (inactive)

REFeree SERVICE

Cambridge University Press
Harvard University Press
American Philosophical Association, Berger Prize Committee (2014)
Routledge
Yale Law Journal
Harvard Law Review
Northwestern Law Review
Law and Philosophy
Criminal Law and Philosophy
Oxford International Journal of Transitional Justice
Aspen, Wolters-Kluwer
Social Theory and Practice

EXTERNAL TENURE/PROMOTION REVIEWS

University of Nevada, Las Vegas School of Law
South Carolina School of Law
Washington & Lee School of Law
Cleveland-Marshall College of Law
New England Law School
Syracuse University College of Law
American University, Washington College of Law

PRO BONO CONSULTANCIES

Cleveland Community Police Commission, 2018

–Rules and standards governing the use of search technologies as part of reform process under the auspices of a Department of Justice consent decree.

Maryland State Bar, 2018

–Maryland differences in substantive criminal law and criminal procedure.

Department of Justice/RAND Corporation/Research Triangle Institute, 2016

–Technology and Due Process

Privacy + Security, 2017

–Corporate standing and the Fourth Amendment

LEGAL EXPERIENCE

WILLIAMS & CONNOLLY LLP, Washington, District of Columbia
Associate, July 2006-June 2008

CHAMBERS OF THE HON. CHESTER J. STRAUB, SECOND CIRCUIT COURT OF APPEALS, New York, New York
Judicial Clerk, September 2004-August 2005

CHAMBERS OF THE HON. CHARLES S. HAIGHT, JR., SOUTHERN DISTRICT OF NEW YORK, New York, New York
Judicial Clerk, September 2003-August 2004

DECHERT LLP, Philadelphia, Pennsylvania
Summer Associate, May 2003-August 2003 (offer extended)

MANHATTAN COUNTY DISTRICT ATTORNEY, New York, New York
Acting Assistant District Attorney (NYU Prosecution Clinic), August 2002-May 2003

INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA, Arusha, Tanzania
Chambers, May 2002-August 2002

AFRICAN CENTRE FOR DEMOCRACY AND HUMAN RIGHTS STUDIES, Fajara, The Gambia
Legal Division, May 1999-August 1999

HIGHER EDUCATION ADMINISTRATIVE EXPERIENCE

NORTHERN KENTUCKY UNIVERSITY OFFICE OF HOUSING AND RESIDENTIAL LIFE, Highland Heights, Kentucky
Hall Director and Inter-Fraternity Presidents' Council Advisor, July 1995-August 1996

UNIVERSITY OF VIRGINIA OFFICE OF RESIDENTIAL LIFE, Charlottesville, Virginia
Program Coordinator for Promotions and Evaluations, July 1994-June 1995

SELECTED MEDIA APPEARANCES

- Fox 45 News, February 1, 2018, commenting on personnel system deployed by Baltimore Police Department using fingerprint verification.
- On Point (National Public Radio), June 20, 2017, commenting on Michelle Carter case.
- Wired Magazine, June 16, 2017, commenting on Michelle Carter case. <https://www.wired.com/story/texting-suicide-crime/>
- Baltimore Sun, Roughly Speaking Podcast, June 1, 2017—discussing Fourth Amendment issues in law enforcement.
- CBS News, June 12, 2017, commenting on Fourth Amendment and procedural issues relating to “bait package” investigations. <http://www.cbsnews.com/news/porch-pirates-police-use-bait-packages-gps-to-catch-thieves/>
- Baltimore Sun, National Public Radio and other outlets, May-July 2016—commenting on substantive law and procedural issues relating to the prosecutions of police officers relating to the death of Freddie Gray
- Baltimore Sun, National Public Radio and other outlets, October-November 2015—commenting on substantive law and procedural issues relating to the first prosecution of a police officer in the death of Freddie Gray
- New York Times, Wall Street Journal, Christian Science Monitor, New York Daily News, Baltimore Sun, ABC News, National Public Radio and other outlets, May-August 2015—commenting on charges brought against police officers in the death of Freddie Gray
- Washington Lawyer, May 2015—Commenting on prosecution of cybercrimes.
- WYPR-National Public Radio, April 22, 2015—commenting on Fourth Amendment issues surrounding death of Freddie Gray in Baltimore Police custody.
- Baltimore Sun, April 20 & 22, 2015—commenting on Fourth Amendment issues surrounding death of Freddie Gray in Baltimore Police custody.
- Baltimore Sun, February 14, 2015—commenting on court finding that law enforcement officers lied in a search warrant affidavit.
- Punditfacts.com, December 8, 2014—Commenting on claim that 70% of adults in America have committed a crime punishable by imprisonment (<http://www.politifact.com/punditfact/statements/2014/dec/08/stephen-carter/watch-out-70-us-have-done-something-could-put-us-j/>).
- House Committee on Oversight and Government Reform, March 26, 2014—Commenting on the legal viability of potential contempt charges against former Internal Revenue Service official Lois Lerner (<http://democrats.oversight.house.gov/uploads/Contempt%20Expert%20Opinions%20Packet.pdf>).
- Newsweek, March 5, 2014—“Tracking Those Who Can’t Keep Track of Themselves,” commenting on third-party and government access to information from GPS-enabled tracking devices worn by children and the elderly.
- Baltimore Sun, Sept. 6, 2013—commenting on a trial judge’s decision to deny a prosecutorial motion to join the trials of a defendant accused of perpetrating several similar rapes against different victims after the defendant was acquitted in each of the separate cases.
- WYPR-National Public Radio, August 20, 2013—commenting on Attorney General Eric Holder’s memorandum on sentencing.
- Washington Post, June 21, 2013—commenting on Maryland Court of Appeals decision holding unconstitutional retroactive enforcement of portions of Maryland’s sex offender registry law.
- WYPR-National Public Radio, June 4, 2013—commenting on *Maryland v. King*.
- WBAL News, May 15, 2013—discussing use of Google to research prospective jurors during voir dire
- NBC News, February 19, 2013—discussing legal issues relating to “nanny cams” and other home surveillance devices, <http://www.today.com/moms/nanny-cam-debate-resurfaces-after-staten-island-arrest-1C8431650>
- WYPR-National Public Radio, June 25, 2012—commenting on *Miller v. Alabama*, *Arizona v. United States*, and *American Tradition Partnership v. Bullock*.

- WYPR-National Public Radio, June 15, 2012—discussing Maryland Court of Appeals opinion establishing a strict liability standard in tort actions against owners and landlords for harm caused by pit bull attacks.
- WYPR-National Public Radio, May 4, 2012—discussing Maryland Court of Appeals opinion holding unconstitutional a statute providing authority for law enforcement to take and keep DNA samples from persons arrested for committing violent crimes.
- WYPR-National Public Radio, March 27, 2012—discussing the Florida self-defense statute implicated in the killing of Treyvon Martin.
- Concurring Opinions, February 10, 2012—“What Does *Jones* Mean for the Exclusionary Rule?”
<http://www.concurringopinions.com/archives/2012/02/what-does-jones-mean-for-the-exclusionary-rule.html>.
- Baltimore Sun, October 16, 2011—discussing legal and constitutional issues relating to the first application of Maryland’s death penalty statute after it was amended to require either a videotaped confession, DNA evidence, or a videotape of the crime in order to qualify a defendant for the death penalty in a case where officers neither informed a suspect that his interrogation was being videotaped nor apprised him during their Miranda colloquy of the legal significance of a videotaped confession as compared to a normal interrogation .
- WYPR-National Public Radio, August 1, 2011—discussing the Fair Sentencing Act of 2010 and the United States Sentencing Commission’s decision to make retroactive its 2011 changes to the United States Sentencing Guidelines for crimes involving cocaine base.
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