

Roberta M. Harding

Professor of Law

CURRICULUM VITAE

ROBERTA M. HARDING

University of Kentucky
College of Law
255 Law Building
Lexington, Kentucky 40506-0048

Office Phone: (859) 257 - 1800
Fax: (859) 323-1061
E-mail: rharding@uky.edu

EDUCATION:

HARVARD LAW SCHOOL, Cambridge, Massachusetts.
Juris Doctorate, June 1986.

UNIVERSITY OF SAN FRANCISCO, San Francisco, California.
B.S. - Business Administration, May 1981.
Emphasis in Finance. Graduated with honors.

EMPLOYMENT:

July 1999-
Present

University of Kentucky, College of Law, Lexington, Kentucky.
Professor of Law. Teach 1st Year Course: Criminal Law and 2nd and 3rd Year Courses: Capital Punishment, Race, Racism, and the Criminal Law, and Animal Rights. Taught 1st Year Course: Civil Procedure I and II and 2nd and 3rd Year Courses and Seminars, Innocence Project Externship[Co-Creator of the Externship and Faculty Supervisor from Spring 2000 – Spring 2012], Remedies(course), Capital Punishment(seminar), International Human Rights(seminar), and Prisoners' Rights(seminar). Supervise independent student research projects. Areas of scholarly interest include: capital punishment; history of capital punishment; race and the criminal law; and law and popular culture. Elected to: College of Law Executive Committee (2003 -2004, 2005-2006 and 2006-2007). Appointed to the following College of Law Committees: Academic Status(Fall 2011 – Spring 2012 and Fall 2014 – Present), Curriculum (Fall 2006-Spring 2009), Diversity (Fall 2013 – Present), Faculty Development(Fall 2010 – Spring 2012 and Fall 2013 – Spring 2014), Judicial Clerkships Advisory Committee (Fall 2011 – Fall 2012 and Fall 2013 – Fall 2014), Law Library Faculty Retention, Promotion & Tenure Committee (Fall 2014 – Present), Personnel (Faculty Hiring) (1999 - 2000, 2001 - 2002, 2004 - 2005, and 2005 - 2006), Retention, Promotion and Tenure (1999-2000 and 2008-2009 and Fall 2013 – Spring 2014), Speakers (Fall 2008-Spring 2010 and Fall 2014 - Present), and Strategic Planning (Fall 2010 – Spring 2011). Other Committee Work: Dean's Representative, Kentucky Department of Public Advocacy Commission (1996-2006) [Appointed by the Dean] and Chair, Ad Hoc Committee on Communications and Public Relations for the College of Law (Spring 2007- Fall 2008). Created and Coordinated, College of Law's Teaching Skills and Scholarship Brown Bag Lunch Series (Fall 2000-Fall 2009). Faculty Advisor: Equine Law Society (2001- 2012), Student Animal Legal Defense Fund (Spring 2009-Present), and Criminal Law Society (Spring 2008 – Present). Fundraising: wrote and obtained grants to fund the Student Public Interest Law Foundation's summer fellowships and

secured continued funding for the Vincent Harding Public Interest Award. Appointed to the following University Committees: College of Law Dean Search and Screening Committee (1999) [Reappointment by the Chancellor], Faculty Alternate, University Appeals Board (1999-2005), Member, President's Task Force on Racial Diversity & Equality (January 2006 – Fall 2006)[Appointed by the President], Member, Quality Enhancement Plan Topic Selection Team(February 2010 – March 2011)[Appointed by the President], and Member, Kirwan Faculty Research Award Selection Committee (2011).

July 1995-

University of Kentucky, College of Law, Lexington, Kentucky.

July 1999

Associate Professor of Law. Taught 1st Year Courses: Civil Procedure I and II and 2nd and 3rd Year Courses and Seminars: Remedies (course) and Capital Punishment (course and seminar) and Prisoners' Rights (seminar). Scholarship interests included: capital punishment; international and domestic prisoners' rights; international human rights; law and literature; and forensic psychiatry. College of Law Committee Assignments included: Personnel (Faculty Hiring); Student Recruitment; Curriculum; Academic Status; and Diversity. Developed, implemented, and supervised the College of Law's first international faculty exchange program with Coventry University's School of International Studies and Law, located in Coventry, England. Faculty Advisor: Black Law Students Association (Fall 1991- Fall 1997) and Student Public Interest Law Foundation (Fall 1992-Spring 1996). Fundraising: wrote and obtained grants to fund the Student Public Interest Law Foundation's summer fellowships and secured continued funding for the Vincent Harding Public Interest Award. Appointed to the following University Committees: University's Task Force to Review the Promotion and Tenure Procedures (1996) and College of Law Dean Search and Screening Committee (1998) [Appointed by the Chancellor].

January 1999 -

University of Georgia School of Law, Athens, Georgia.

May 1999

Visiting Associate Professor of Law. Invited to teach Capital Punishment and Equitable Remedies to second and third year students.

August 1997 -

Wake Forest University School of Law, Winston-Salem, North Carolina.

December 1997

Visiting Associate Professor of Law. Invited to teach Civil Procedure I and Remedies to second and third year students.

July 1996 -

Consortium for Cooperative Studies in Britain (CCSB),

August 1996

London, England.

Professor. Taught "Crime, Punishment and Corrections" to American law and graduate students. Arranged visits to British correctional institutions, Middle Temple Inn of Court and lectures by Professors from All Soul's College, University of Oxford and the University of Westminster.

August 1991 -

University of Kentucky, College of Law, Lexington, Kentucky.

- June 1995 **Assistant Professor of Law.** Taught: 1st Year Courses: Civil Procedure I and II and 2nd and 3rd Year Course and Seminar: Remedies (course) and Prisoners' Rights (seminar). Scholarship interests included: civil procedure; federal courts; prisoners' rights; capital punishment; law and psychology; remedies; and litigation/trial advocacy skills. College of Law Committee Assignments included: Recruitment and Visitation and Personnel (faculty hiring). Actively involved in the recruitment and retention of minority students. Represented the College of Law at student recruitment fairs, including those for minority students, in and out of state. Fundraising: secured funding for the Vincent Harding Public Interest Award. Founded the Student Public Interest Law Foundation, the College of Law's first student public interest law organization (Fall 1992). Faculty Advisor: Black Law Students Association (Fall 1991-Spring 1995) and Student Public Interest Law Foundation (Fall 1992 - Spring 1995). Duties for the latter included developing, implementing and promoting fund raising activities and speakers' series. Fundraising activities included writing and obtaining grants to fund the Student Public Interest Law Foundation's Summer Fellowships.
- April 1990-
May 1991 McCutchen, Doyle, Brown & Enersen, San Francisco, California.
Associate. Litigation practice concentrated in the federal courts. Areas of practice included: constitutional litigation [death penalty appellate case and prisoner's rights case, including assisting in preparing a complaint for a suit against the California Department of Corrections for unconstitutional conditions of confinement at Pelican Bay, California's first super max prison]; intellectual property [copyright and patent] litigation; and commercial litigation. Duties included: drafting pleadings; drafting and responding to discovery; interviewing clients; drafting motions; preparation of direct appeal in a death penalty case [*State of California v. Kenneth Clair*] and investigation and preparation of state and federal post-conviction remedies; case management; supervising paralegals and legal assistants; conducting settlement negotiations; and trial preparation.
- January 1991-
January 1993 Legal Seminars International, Rome, Italy.
Co-Owner/Instructor. Organized, managed, and marketed a business that presented seminars on legal topics to Italian lawyers. Prepared course materials for distribution to attendees.
- June 1989-
March 1990 Legal English Associates, Rome, Italy.
Partner/Instructor. Started, organized, managed, and promoted a business that provided instruction in American substantive law to Italian lawyers. Translated legal documents and journal articles from English into Italian and Italian into English. Responsibilities included designing, researching and organizing the content of each course and marketing the instructional program and editorial/translation services.
- March 1989 - Aspen Institute Italia, Rome, Italy.

- October 1989 **Editor.** Edited the English language books published by the Institute. Duties included: selecting the papers to be included in the books; editing the manuscripts; organizing the books by topic; developing titles for the papers and the chapters; and acting as the liaison with the printer.
- November 1988 - International Development Law Institute, Rome, Italy.
June 1989 **Teaching Assistant.** Assisted in designing the curriculum for seminars and courses in English for lawyers from developing countries and managing the courses and seminars. Authored the final seminar and course reports.
- November 1986 - Pillsbury, Madison & Sutro, San Francisco, California.
June 1988 **Associate.** Practiced in federal and state court. Individually responsible for several cases. Lead associate on national precedent setting complex constitutional case involving prisoners' rights. Practice group's resident expert on temporary restraining orders and preliminary injunctions and one of two associates assigned to a special litigation assistance team that helped attorneys at the firm's offices prepare for upcoming trials. Prepared litigation documents, researched legal issues, handled discovery, took and defended depositions and assisted in trials. Areas of practice included: contracts; unfair competition; prisoners' rights litigation; trademark; constitutional law; property law; pension fund law; bankruptcy; products liability; and general commercial law. Trained and supervised first year and summer associates. Selected to be a mentor in the summer clerkship program.
- May 1985 - Cooley, Godward, Castro, Huddleston & Tatum, San Francisco,
August 1985 California.
Summer Associate. Worked with litigation and corporate groups. Responsibilities included researching and writing legal memoranda and drafting legal documents.
- June 1984 - Pillsbury, Madison & Sutro, San Francisco, California.
September 1984 **Summer Associate.** Worked with litigation and corporate groups. Responsibilities included researching and writing memoranda on legal issues. Worked on a prisoners' rights case and assisted in monitoring a permanent injunction against the California Department of Corrections.
- December 1982 - Wells Fargo Bank. CBG/IBG Credit Administration, San Francisco,
May 1983 California.
Senior Credit Analyst/Team Trainer. Trained four credit analysts in preparing financial analyses of domestic and international corporations and banks. Duties included reviewing and editing the analyses, maintaining quality control, and assisting the team leader in managerial responsibilities. Assisted in devising loan repayment schemes for commercial ventures in Latin and Central America.
- September 1981 - Wells Fargo Bank. CBG/IBG Credit Administration, San Francisco,

July 1982

California.

Credit Analyst. Prepared comprehensive financial analyses which examined liquidity, growth, capital adequacy, cash flow, asset quality, and profitability of foreign and domestic correspondent bank customers. Wrote credit packages describing lending facilities. Had the sole responsibility for analyzing the bank's financial institutional customers operating in Italy.

HONORS AND AWARDS:

Roberta Harding: Faces of Liberty

Invitee, ACLU of Kentucky's Faces of Liberty Project

Invited to be one of 60 people profiled whose stories are an integral part of the organization's rich history and commitment to protecting the civil, political and legal rights of all people. The Project is main recognition of the affiliate's 60th anniversary by highlighting the stories of people who have been an integral part of the organization's rich history.

The profile is available at: http://www.aclu-ky.org/wp-content/uploads/2015/11/303088_Inside.pdf, at 32
2015

Recipient, President's Faculty Award for Diversity

University of Kentucky

Lexington, Kentucky

2007

Recipient, Robert M. And Joanne K. Duncan Faculty Award for Teaching

University of Kentucky College of Law

Lexington, Kentucky

2005

Recipient, YMCA Adult Achiever Award

YMCA Black Achievers

Lexington, Kentucky

March 2003

Recipient, Public Advocate Award

Kentucky Department of Public Advocacy

Frankfort, Kentucky

June 2001

SCHOLARLY WORKS:

BOOKS AND BOOK CHAPTERS

ROBERTA M. HARDING, THE FUNDAMENTALS OF THE SUBSTANTIVE CRIMINAL LAW: CASES, STATUTES, AND MATERIALS, 2ND ED. [2016] [casebook for the first year substantive criminal law class][available at the University of Kentucky College of Law Library]

ROBERTA M. HARDING, STATUTORY SUPPLEMENT FOR THE FUNDAMENTALS OF THE SUBSTANTIVE CRIMINAL LAW: CASES, STATUTES, AND MATERIALS, 2ND ED. [2016]. [available at the University of Kentucky College of Law Library]

ROBERTA M. HARDING, RACE, RACISM AND THE CRIMINAL LAW, 2ND ED. [2016] [available at the University of Kentucky College of Law Library]

ROBERTA M. HARDING, ANIMAL RIGHTS: CASES AND MATERIALS, 2ND ED. [2016] [available at the University of Kentucky College of Law Library]

ROBERTA M. HARDING, CASE STUDIES IN THE SUBSTANTIVE CRIMINAL LAW [3rd ed. 2014] [120 pages: additional text for the first year substantive criminal law class]

Roberta M. Harding, *Capital Punishment and Race Discrimination*, in THE ENCYCLOPEDIA OF AMERICAN CIVIL LIBERTIES (Routledge 2006) (solicited)

Roberta M. Harding, *Capital Punishment: Methods of Execution*, in THE ENCYCLOPEDIA OF AMERICAN CIVIL LIBERTIES (Routledge 2006) (solicited)

Roberta M. Harding, *Celluloid Death: Cinematic Depictions of Capital Punishment*, Chapter 10 in THE DEATH PENALTY, VOL. I 259 - 271 (Austin Sarat ed. 2005) [originally published in 30 Univ. S. F. L. Rev. 1167 (Summer 1996)]

Roberta M. Harding, *Reel Violence: Popular Culture and Concerns about Capital Punishment in Contemporary American Society*, Chapter: PART V Crime and Punishment in LAW AND POPULAR CULTURE 358 – 374 (Michael Freeman ed. Oxford University Press 2005)

Roberta M. Harding, *Pennoyer v. Neff: A One Act Play*, Chapter 2 in CIVIL PROCEDURE, MATERIAL IN TEACHING THE LAW SCHOOL CURRICULUM (Steven Friedland and Gerald F. Hess ed. Carolina Academic Press 2004)

Roberta M. Harding, Drafted and Edited United States Capital Punishment Law Sections in DR. ROGER HOOD, THE DEATH PENALTY: A WORLD WIDE PERSPECTIVE (Oxford University Press 2d ed. 1996)

ARTICLES

Roberta M. Harding, *Time Works Changes: The 40th Anniversary of Gregg v. Georgia and the Constitutionality of Death as a Punishment for the Crime of Aggravated Murder* [work-in-progress]

Roberta M. Harding, *Rubbing the Rabbit's Foot: Gallows Superstitions and Public Healthcare in England during the Eighteenth and Nineteenth Centuries*, 25, no. 2 Boston University Public Interest Law Journal 353 (Summer 2016) [forthcoming]

Roberta M. Harding, *Life and Death in Kentucky: Past, Present and Future*, 102 Kentucky Law Journal Online (Fall 2013), at <http://www.kentuckylawjournal.org/online-originals-2/life-and-death-in-kentucky-past-present-and-future/> [solicited to write an article for the conference, The Second Annual Forum on Criminal Law Reform in the Commonwealth of Kentucky, co-hosted by the University of Kentucky College of Law on November 15, 2013]

Roberta M. Harding and Bankole Thompson, *Fact or Fiction: An Empirical Study of Prosecutorial Misconduct in Kentucky's Capital Cases Since 1976*, 25 The Advocate 14 (January 2003)

Roberta M. Harding, *Gallery of the Doomed: Creative Expressions and the Death Row Inmate*, 28 New England Journal on Criminal and Civil Confinement 195 (2002)

Roberta M. Harding, *Capital Punishment as Human Sacrifice: A Societal Ritual as Depicted In George Eliot's Adam Bede*, 48 Buffalo L. Rev. 175 (Winter 2000) (symposium issue).

- Selected to be used in an ongoing class held at Stanford University that focused on the works of Professor Rene Girard, an internationally renowned philosopher and literary critic who taught at Stanford University until his retirement. Professor Girard, whose distinguished honors include being elected to the forty member Academie francaise, he holds seat 37, and being made a Knight of the Legion d'honneur, the highest distinction awarded by the French government, frequently attended the sessions

Roberta M. Harding, *In the Belly of the Beast: A Comparison of the Evolution and Status of Prisoners' Rights In the United States and Europe*, 27 University of Georgia Journal of International and Comparative Law 1 (Fall 1998)

Roberta M. Harding, *The Enforcement of Prisoners' Rights in the United States: An Access to the Courts Issue*, 3 Coventry University Law Journal 10 (May 1998)

Roberta M. Harding, *The Gallows to the Gurney: Analyzing the (Un)constitutionality of the Methods of Execution*, 6 Boston University Public Interest Law Journal 153 (Fall 1996)

-Article described by University of Pennsylvania's legendary Professor Marvin Wolfgang, who was one of the research and scholarship luminaries in the field of capital punishment research, as "a gem" and "one of the most informative and legally comprehensive on the issue of the (un)constitutional methods of execution. Instantaneous, lingering painful death I have never seen more carefully analyzed."

Roberta M. Harding, *Celluloid Death: Cinematic Depictions of Capital Punishment*, 30 University of San Francisco Law Review 1167 (Summer 1996) (symposium issue)

Roberta M. Harding, *What Went Wrong? : The Supreme Court's Message in Missouri v. Jenkins*, 2 Washington and Lee University Race & Ethnic Ancestry Law Digest 26 (Spring 1996) (solicited article)

Roberta M. Harding, *Show and Tell: An Analysis of the Scope of the Attorney-Client Privilege Waiver Standards*, 14 University of Texas School of Law, Review of Litigation 367 (Spring 1995)

Roberta M. Harding, *Endgame: Competency and the Execution of Condemned Inmates - A Proposal To Satisfy the Eighth Amendment's Prohibition Against the Infliction of Cruel and Unusual Punishment*, 14 Saint Louis University Public Law Review 105 (1994) (Symposium on Prison Reform and Rehabilitation)

Roberta M. Harding, *Waiver: A Comprehensive Analysis of A Consequence of Inadvertently Producing Documents Protected By the Attorney-Client Privilege*, 42 Catholic Univ. L. Rev. 465 (Spring 1993)

- Selected by the National Law Journal to be included in the "Worth Reading" list (March 1994)

- Cited in the Florida Bar Journal (October 1995)

BOOK REVIEWS

AMERICA'S EXPERIMENT WITH CAPITAL PUNISHMENT (eds. James R. Acker, Robert M. Bohm, and Charles S. Lanier Carolina Press 1998)

American Bar Association, Individual Rights and Responsibilities Section, Human Rights periodical(1998)

LEON HIGGINBOTHAM, JR., SHADES OF FREEDOM
Lexington Herald-Leader, Lexington, Kentucky
(March 23, 1997)

ALAN M. DERSHOWITZ, REASONABLE DOUBTS
Lexington Herald-Leader, Lexington, Kentucky
(March 10, 1996)
-Paperback version includes from this book review

OTHER LEGAL WRITING

L'Association Recherches, Confrontations et Projets sur les Mesures et
Penales, Paris, France, (January 1998)

Contributor. Prepared report on U.S. prison conditions pertaining to issues of
“Prisons and Intimacy.” This, and subsequent reports, will be included in the
association’s forthcoming publications.

OTHER PROJECTS:

TRUTH, JUSTICE AND THE AMERICAN LIE item 52
Netflix Original Series

Legal Analyst

Multi-episode film by Middlewest Studios about a claim of actual innocence in a
capital case

May 2016 – Present

*The Extraordinary Saga of Brooks, Dudley, Parker and Stephens: A
Substantive Criminal Law Game*

<http://crimlawgame.law.uky.edu/>

Summer - Fall 2015 developed a digital academic game for first year criminal
law students. Marked the first time the game platform developed at the
University of Virginia was used in a discipline outside the humanities.

POWER POINT PRESENTATIONS:

Roberta M. Harding, “Inmates, Visual Arts and the Rehabilitative Purpose of
Incarceration”

Keynote Speaker

Bars to Walls: Inmate Art Expressions Symposium

[Power Point Presentation and Script I Wrote Used As Part of the Key Note
Speech I Delivered]

- University of Louisville, Symposium: Bars to Walls: Inmate Art Expressions,
Louisville, Kentucky, September 25, 2011

Roberta M. Harding, *From Strauder to Snyder: The Evolution of the United*

States Supreme Court's Strategy to Eradicate the Purposeful Racially Discriminatory Use of Peremptory Challenges in Capital Cases

[Power Point Presentation Used with a Lecture using a Script I wrote]

-Fordham University School of Law, New York, New York, February 2008

-Salmon P. Chase School of Law, Northern Kentucky University, Highland Heights, Kentucky, November 13, 2009

SPEAKING ACTIVITIES:

Keynote Speaker: Topic: "The Fiftieth Anniversary of *Miranda v. Arizona*: More Than Mere Words?"
2016 Law Day Banquet
Daviness County Bar Association
Owensboro, KY
April 28, 2016

Presenter: Topic: "Revisiting *Gregg v. Georgia*: The Eighth Amendment and the Constitutionality of Execution as a Penalty for Aggravated Murder "Article
Randall Park Presentation
University of Kentucky
College of Law
Lexington, KY
February 27, 2015

Guest Speaker: Topic: Present Scholarship - "Revisiting *Gregg v. Georgia*: The Eighth Amendment and the Constitutionality of Execution as a Penalty for Aggravated Murder "
Radio Program: The Bindle with The Professor and the Archivist
[Co-Hosted by Professor Brian Frye]
WRFL [Radio Free Lexington]
University of Kentucky
Lexington, KY
March 2, 2015

Panelist: Topic: The Future of Capital Punishment in Kentucky
Kentucky Tonight
Hosted by Bill Goodman
KET/PBS Affiliate
Lexington, KY
March 31, 2014

Luncheon Speaker: Topic: "Innocence and Criminal Law Reform"
The Second Annual Forum on Criminal Law

Reform in the Commonwealth of Kentucky
Faculty Club
University of Kentucky
Lexington, KY
November 15, 2013

Guest

Lecturer: Topic: "The Death Penalty in the United States"
Professor Katharine Salomon
University of Louisville
Department of Justice Administration
Class: United States Corrections
Louisville, KY
November 14, 2013

Guest

Speaker: Topic: "The Death Penalty: Key State
And National Issues and the Penalty's Future"
Social Justice Committee
Maxwell Presbyterian Church
Lexington, KY
October 7, 2013

Legal Expert: Topic: Social Media and KRS 524.055: Retaliating Against a Participant
in the Legal Process
WKYT Channel 27/CBS Affiliate
6 O'Clock Nightly News
Lexington, KY
September 25, 2012

Panelist:

Topic: Using Expert Witnesses
3rd Annual James and Mary Lassiter Distinguished Visiting
Professor Conference
Lawyering in the Public Interest
University of Kentucky College of Law
Lexington, KY
September 12, 2012

Legal Expert:

Topic: Prisoners' Rights and the Constitutionality of a New Policy
Regulating Written Communication Between Detainees at the Laurel
County Detention Center, a local jail located in London, Kentucky, and Non-
Legal Correspondents.
WTVQ Channel 36/ABC Affiliate
6 O'Clock Nightly News
Lexington, KY
August 13, 2012

Co-Keynote

- Speaker: Topic: "Black History Month and the Triumph of the Human Spirit"
Black History Month Program
Eastern Kentucky Correctional Complex
West Liberty, KY
February 22, 2012
- Keynote Speaker: Topic: "Inmates, Visual Arts and the Rehabilitative Purpose of Incarceration"
Symposium: Bars to Walls: Inmate Art Expressions
University of Louisville
Hite Art Institute and the Department of Justice Administration
Louisville, Kentucky
September 25, 2011
- Commentator: Topic: "Structural Racism and Capital Sentencing"
The James and Mary Lassiter Conference: Structural Racism: Inequality in America Today
Criminal Justice Session
University of Kentucky College of Law
Lexington, Kentucky
February 25, 2011
- Guest Lecturer: Topic: "The Death Penalty Debate: Contributions from Creative Endeavors by the Condemned"
Rhetoric of Confinement Class [Taught by Professor Scott Whiddon]
Transylvania University
Lexington, Kentucky
May 20, 2010
- Speaker: Topic: "The Human-Animal Bond: Animal Welfare Legislation and Public Safety"
Humane Society of the United States
Humane Lobby Day
Kentucky State Capitol
February 15, 2010
- Presenter: Topic: "Race to Execution: The Supreme Court's Strategy to Eradicate the Racially Discriminatory Exercise of Peremptory Challenges in Capital Cases: From *Strauder* to *Snyder*"
[Used Power Point Presentation titled "*Strauder to Snyder: The Evolution of the United States Supreme Court's Strategy to Eradicate the Purposeful Racially Discriminatory Use of Peremptory Challenges in Capital Cases*" and the Script I Wrote to Go With It]
Salmon P. Chase School of Law

Highland Heights, Kentucky
November 13, 2009

Panelist: Topic: Prisoners' Rights and the Detainees at Guantanamo Bay
American Civil Liberties Union of Kentucky
Central Kentucky Chapter
Lexington, Kentucky
September 14, 2009

Invited Scholar Topic: Race and the Criminal Justice System
and Guest Speaker: Public Lecture Topic: "Race, Class and the Death Penalty"
[prepared a Power Point Presentation for the public lecture]
Multicultural Educator Speakers' Series
Southeast Missouri State University
Cape Girardeau, Missouri
April 10 and 11, 2008
(2-3 day event, delivered a public lecture and was a guest lecturer at two classes)

Invited Lecturer: Topic: "Race to Execute: *Snyder* in Context"
Fordham University School of Law
New York, New York
February 26, 2008
[Included Using Power Point Presentation titled "*Strauder* to *Snyder*: The Evolution of the United States Supreme Court's Strategy to Eradicate the Purposeful Racially Discriminatory Use of Peremptory Challenges in Capital Cases" and the Script I Wrote to Go With It]

Panelist/
Guest Speaker: Topic: "Looking Back: The Legacy of Thurgood Marshall
And *Brown v. Board* at 50"
Annual Kentucky Bar Association Convention
Lexington, Kentucky
June 23, 2004

Moderator: Topic: The Patriot Act, Panel Discussion
American Civil Liberties Union
Louisville, Kentucky
September 18, 2003

Panelist: Topic: The Death Penalty
University of Louisville Brandeis School of Law
Louisville, Kentucky
April 23, 2003

Guest Lecturer: Topic: The Use of Restorative Justice in the United States
Hebrew University

Law and Social Work Faculties
Jerusalem, Israel
Invited to make a presentation to law and social work students and faculty members and government officials on restorative justice programs used in the U.S.
May 2001

Guest Speaker: Topic: "Voting, Felony Convictions and the Silencing of the Black Community's Voice"
Eastern Kentucky Correctional Complex
Black History Month Program
West Liberty, Kentucky
February 7, 2001

Co-presenter: Topic: "Fact or Fiction: Prosecutorial Misconduct in Kentucky Capital Cases Since 1976"
Randall-Park Colloquium
University of Kentucky
College of Law
Lexington, Kentucky
January 18, 2001

Panelist: Topic: "The Death Penalty: Should Congress Pass Capital Punishment Reforms?"
"Kentucky Tonight" on KET
Lexington, Kentucky
July 3, 2000

Guest Lecturer: Topic: "The Rights of Children under the UN Conventions and the Execution of Juvenile Offenders in the U.S."
51st Anniversary Celebration of the UN's Universal Declaration of Human Rights
UK Student Chapter of Amnesty International
Lexington Public Library, Central Branch
Lexington Kentucky
December 7, 1999

Presenter: Topic: "Capital Punishment As Human Sacrifice: A Societal Ritual Depicted In George Eliot's *Adam Bede*"
Faculty Lunch Series
Emory University School of Law
Atlanta, Georgia
April 14, 1999

Guest Speaker: Topic: "Juveniles and the Death Penalty"
3rd Annual Anti-Death Penalty Rally
And Celebration of the 50th Anniversary of the
Universal Declaration of Human Rights
Frankfort, Kentucky
December 10, 1998

Guest Speaker: Topic: "The Universal Declaration of Human Rights and the
Juvenile Death Penalty in The United States"
"Afternoon Kentucky" on Channel 36
Lexington, Kentucky
December 9, 1998

Guest Speaker: Topic: "The Death Penalty in the United States"
Paul Laurence Dunbar High School
Susan Price's Classes
Lexington, Kentucky
November 30, 1998

Distinguished

Guest Lecturer: Topic: "Capital Punishment and Organ Harvesting"
McGill University, Faculty of Law and the McGill Centre for Medicine, Ethics,
and Law
Astra Lecture
Montreal, Canada
October 5, 1998

Guest Lecturer: Topic: "The Rights of Incarcerated People"
Kentucky Governors' Scholars Program
Instructor: Madison Sewell
Centre College
Danville, Kentucky
July 20, 1998

Lecturer: Topic: "Death Penalty Practice in the United States"
University of Paris-X
Nanterre, France
May 12, 1998

Lecturer: Topic: "Prisoners' Rights and the Administration of the Death Penalty in the
United States"
Coventry University School of International Studies and Law
Coventry, England
March 17 and 18, 1998

Lecturer: Topic: "The Historical and Philosophical Developments of Prisoners'
Rights in the United States and in Europe: A Comparative Study"

University of Oxford
Oxford, England
Invited by Professor Roger Hood, OBE, QC, Fellow of All Soul's College,
University of Oxford and Director of the University of Oxford's Centre for
Criminological Research
March 11, 1998

Guest Speaker: Topic: "Electrocution In the United States"

BBC Radio
London, England
July, 1997

Guest Speaker: Topic: "Harold McQueen: The Person"

"Kentucky Tonight" on KET
Lexington, Kentucky
July, 1997

Presenter: Topic: "Challenging the Constitutionality of the Methods of Execution
and the Anti-Terrorism and Effective Death Penalty Act of 1996"

Faculty Colloquium
Wake Forest University School of Law
Winston-Salem, North Carolina
November 25, 1997

Guest Speaker Death Penalty Workshop
Wake Forest University School of Law
Winston-Salem, North Carolina
November 18, 1997

Panelist: Topic: "Capital Punishment"
"Kentucky Tonight" on KET
Lexington, Kentucky
December, 1996

Panelist: Topic: "Should The State Kill?"
Panel discussion sponsored by Amnesty International
Lexington, Kentucky
September 8, 1996

Guest Lecturer: Topic: "Capital Punishment in the U.S. and Kentucky"
Amnesty International
Lexington, Kentucky
March 25, 1996

Guest Lecturer: Topic: "Civil Liberties and the Constitutional Rights of Prisoners'
In the United States"
Coventry University School of International Studies and Law
Coventry, England
March 12 and 13, 1996

Panelist: Topic: School Desegregation After the Future of the Supreme Court's
Decision in Missouri v. Jenkins.
Symposium on: "Civil Rights: Has the Dream of the 1960's Turned into
the Nightmare of the 1990's?"
Washington and Lee University School of Law
Lexington, Virginia
February 16, 1996

Guest Lecturer: Topic: Advanced Prisoners' Rights Litigation
North Point Training Center
Inmate Legal Aide Training Program
Burgin, Kentucky

Guest Lecturer: Topic: Competency and the Criminal Defendant
Kentucky Association of Criminal Defense Lawyers
9th Annual Convention
Lexington, Kentucky
November 10, 1995

Invited Delegate: Kentucky Bar Association
Legal Education Conclave
August 17-18, 1995

Panelist: Topic: The Death Penalty
"Kentucky Tonight" on KET
May 31, 1995

Guest Lecturer: Topic: The Federal Court System
Kentucky Department of Public Advocacy
Luther Lockett Correctional Facility
Inmate Legal Aide Training Program
LaGrange, Kentucky
May, 1995

Guest Lecturer: Topic: Personal Jurisdiction
University of Arkansas School of Law
National BALSAs Academic Retreat
Little Rock, Arkansas
September 30 - October 2, 1994

Guest Lecturer: Topic: Litigating Federal Section 1983 Actions

Kentucky Department of Public Advocacy
Inmate Legal Aide Training Program
Luther Luckett Correctional Facility
LaGrange, Kentucky
May, 1994

Guest Lecturer: Topic: Institutional Racism and the Administration of the Death Penalty
Carter G. Woodson Lecture Series
University of Kentucky
African-American Studies Department
Lexington, Kentucky
April 14, 1994

Guest Lecturer: Topic: Inadvertently Produced Documents Protected by the
Attorney-Client Privilege
Continuing Legal Education Program
Lexington, Kentucky
August 17, 1993

Seminar Instructor: Fayette County Detention Center
Conducted a two day seminar on prisoners' rights as part of the training
requirement for the facility's correctional personnel.
Lexington, Kentucky
March 4 and 5, 1993

Moderator: Panel on "Racism in Lexington"
National Bar Association, Lexington, Kentucky Chapter
Lexington, Kentucky
Invited to moderate the panel discussion addressing a wide range of issues
pertaining to presence and manifestation of racism in Lexington.
June, 1992

RESEARCH GRANTS:

University of Kentucky, College of Law, Lexington, Kentucky
Travel Grant (2003) (grant to travel to London, England to present a
paper at a Law and Popular Culture conference sponsored by the law
faculty at the University College London).

University of Kentucky, Department of Research and Graduate Studies,
Lexington, Kentucky
Travel Grant (2000) (grant to travel to Hebrew University in Jerusalem, Israel in
May, 2001 to give lectures on restorative justice and prisoners' rights).

Eastern Kentucky University, College of Law Enforcement, Department of Justice and Police Studies, Richmond, Kentucky
Justice and Safety Research Grant (1999) (grant to conduct a research project examining the rate and significance of prosecutorial misconduct in capital cases in Kentucky).

University of Oxford, Centre for Criminological Research, Oxford, England.
Visiting Scholar. Invited to engage in research on capital punishment issues for articles and a book.

University of Kentucky, Department of Research and Graduate Studies, Lexington, Kentucky
Research and Travel Grants (1 grant to support international research, 1 grant to support the presentation of a paper at the University of Oxford, and 1 summer research grant as an Assistant Professor).

University of Kentucky, College of Law, Lexington, Kentucky
Research Grants (numerous summer research grants and 1 supplemental research grant for international research).

**CAPITAL
 DEFENSE AND
 CONSULTING
 AND EXPERT
 WITNESS
 EXPERIENCE:**

January 2005-
 December 2005

Co-Capital Trial Counsel, Commonwealth v. Dennis Bullens (04-CR-00159), Lexington, Kentucky
 Co-counsel with a public defender in a death penalty trial in Fayette County Circuit Court. Investigated case, developed trial (proof and penalty phases) strategy, located and interviewed lay witnesses, located and worked with experts, researched and drafted research memoranda and motions, conducted hearings, interviewed and met with client, located and obtained documents, reviewed evidence, handled the testing of evidence, investigated and prepared mitigation case, including meeting and working with members of the client's family. Responsible for case management and organization and trial preparation, including incorporating the use of technology into case presentation. In December 2005, negotiated a favorable plea bargain whereby the client is parole eligible.

March 2005-
 October 2006

Capital Case Consultant, Commonwealth v. Taquan Neblett, Lexington, Kentucky

Assisted counsel from Fayette County Legal Aid in preparing for a death penalty trial. Responsible for investigating proof and penalty issues, developing and refining trial [proof and penalty] strategies, located and interviewed lay witnesses, obtained documentary evidence, located, interviewed and worked with expert witnesses, met with and interviewed the client, prepared the client and other witnesses to testify, and assisted at trial by taking notes and helping trial counsel resolve issues that arose and revise strategies as needed and worked with witnesses and family members.

Capital Case Consultant, *Baze v. Rees*, Civil Action No. 04 – CI-01094 [Franklin Circuit Court] Frankfort, Kentucky

-because of my scholarship about the constitutional rules that pertain to the constitutionality of methods of execution I was asked to assist trial counsel by researching and writing memos and parts of motions and preparing direct and cross examination questions for witnesses as well as at several days of the hearings for cross-examination purposes to prepare for the hearings pertaining to Baze's request that the Kentucky Department of Corrections be enjoined from carrying out executions by lethal injection because the method violated the 8th and 14th Amendments.

May 2000 **Criminal Legal Directorate**, The International Bannister Foundation, United Kingdom.

Requested by this international anti-capital punishment organization to provide advice on American criminal law issues that relate to capital punishment.

October 20, 1999 **Expert Witness**, Commonwealth of Kentucky, State Legislative Joint Interim Committee on Health and Welfare, Frankfort, Kentucky.

Testified about the institutional behavior of Kentucky's former death row inmates in the general prison population at a legislative committee hearing about the abolition of the death penalty in Kentucky.

July 1999 -
October 1999 **Expert Witness**, State of Kansas, Death Penalty Defense Unit, Topeka, Kansas.

Retained in a capital case to provide expert testimony on whether lethal injection as a method of execution complied with the 8th Amendment's prohibition against cruel and unusual punishments.

June 1999 -
September 1999 **Expert Witness**, New Hampshire Public Defender's Office, Manchester, New Hampshire.

Retained to be an expert witness in a capital trial to provide testimony on whether lethal injection as a method of execution comports with the 8th Amendment's prohibition against the infliction of cruel and unusual punishments.

April 28, 1999 **Expert Witness**, James "Nick" Harrison v. Commonwealth of Kentucky, Richmond, Kentucky.

- Investigated ineffective assistance of counsel and judicial misconduct claims. Drafted memorandum. Testified at client's state post-conviction hearing about the ineffectiveness of trial counsel during his capital murder trial and the violation of his Sixth Amendment right to counsel.
- June 1998 - **Capital Case Consultant**, Lexington, Kentucky.
September 1998
Advised on cases challenging the constitutionality of lethal injection as a method of execution brought by the New Hampshire Public Defender and by the Death Penalty Defense Unit in Topeka, Kansas on behalf of defendants in capital murder cases.
- September 1997 - **Capital Case Consultant**, Winston-Salem, North Carolina and Lexington, Kentucky. Advised attorneys challenging the constitutionality of Florida's use of electrocution as a method of execution and the use of Florida's electric chair in state and federal courts.
March 1998
- June, 1997 **Expert Witness**, Commonwealth of Kentucky, State Legislative Joint Interim Judiciary Committee. Frankfort, Kentucky.
Testified at a legislative committee hearing looking at the constitutionality of electrocution as a method of execution.
- April 1997 - **Capital Case Consultant**, Harold McQueen v. Parker, Lexington, Kentucky. Assisted the ACLU in filing a complaint and seeking a Preliminary injunction on behalf of Harold McQueen, a Kentucky Death Row inmate scheduled to be executed on July 2, 1997, challenging the constitutionality of electrocution as a method of execution in Kentucky, the sole method in Kentucky at that time. Duties included: drafting and revising the complaint, the Motion for a Preliminary Injunction, reply briefs, and coordinating press conferences because if denied relief, which is what happened, Harold McQueen would be the first person executed by the Commonwealth of Kentucky since the United States Supreme Court lifted the legal moratorium on executions in 1976.
July 2, 1997
- March 1997 - **Capital Case Consultant**, Commonwealth v. Mitchell Willoughby, Lexington, Kentucky.
2012
Consulting in a capital case at the state and federal post-conviction stages.
- January 1997 - **Capital Case Consultant**, Nicholasville, Kentucky. Assisted in the case preparation and trial of an individual charged with capital murder.
March 1997
- November 1992 - **Co-Counsel, Capital Trial**, Lexington, Kentucky. Prepared capital case for trial and assisted in trying the case.
May 1993
- April 1990 - **Lead Capital Co-Appellate Counsel**, San Francisco, California. Worked on direct appeal in a California death penalty case, State of California v Kenneth Clair. Activities included collecting documents, researching
May 1991

legal issues, interviewing the client, interviewing trial counsel, drafting the appeal and investigating post-conviction, state and federal habeas, issues.

**PROFESSIONAL
ACTIVITIES:**

Member, California Bar (1986-Present)

Member, American Association of Law Schools (1991-Present)

Member, AALS Minority Law Professors Group (1991-Present)

Member, AALS Criminal Justice Section (1995-Present)

Member, University of Kentucky Association of African-American Professors
(1994-Present)

Member, Association Francaise de Criminologie (1999-Present)

Member, Kentucky Department of Public Advocacy Commission (Appointed by the
Dean of the College of Law) (1995-2007)

Member, Board of Directors, Kentucky Association of Criminal Defense
Lawyers (1999-2000)

**CIVIC
ACTIVITIES:**

Volunteer, Kentucky Animal Relief Fund, Inc.[senior dog rescue]
Louisville, Kentucky
(2012 – Present)

Board Member, Folk Art Center of Kentucky
Morehead, Kentucky
(2004-Present)

Board Member, Headley- Whitney Museum
Lexington, Kentucky
(2004-2008)

Board Member, Kentucky Chapter of the American Civil Liberties
Union
Louisville, Kentucky
(2003-2005)

Founder and Director, Prison Art Program, Green River
Correctional Complex

Central City, Kentucky
(July 2002-June 2008)

Member, Mayor's Commission on Commercialization
(Appointed by the Mayor of Lexington)
Lexington, Kentucky
(1996)

Member, Fayette County Family Court Feasibility Task Force
(Appointed by the Chief Justice of the Kentucky Supreme Court)
Lexington, Kentucky
(1996)

Member, Board of Directors, Actors' Guild of Lexington
Lexington, Kentucky
(1995-1997)

Member, Mayor's Partners for Youth Program -- Issues
Committee (Representative for the University of Kentucky)
Lexington, Kentucky
(1995-1996)

Member, Board of Directors, Lexington Art League
Lexington, Kentucky
(1992-1993)

Member, Board of Directors, Lexington Children's Theatre
Lexington, Kentucky
(1991-1992)

**ADDITIONAL
INFORMATION:**

Ames Moot Court Semi-Finalist and Finalist,
Harvard Law School (1985-1986)

Harvard Black Law Students Association, Member (1983-1986)

Harvard International Law Society, Member, Founder and Chairperson
of the Italian Language Table, Harvard Law School (1983-1986)

Harvard Law School Committee for Sports and Entertainment
Law, Co-Founder and Member, Harvard Law School (1984-1986)

Dean's List, University of San Francisco (1979-1981)

Finance Association, Co-founder and Chairperson of
Professional Events, University of San Francisco (1980-1981)

Alpha Sigma Nu (Jesuit Honor Society) Invitee/Member
University of San Francisco
(1981-Present)

Financial Executives Institute, Recipient, Most Academically
Outstanding Business Student Award (1981)

Beta Gamma Sigma (Business Academic Honor Society) Invitee/Member
University of San Francisco
(1979-Present)

LANGUAGES:

English and Italian.

**HOBBIES AND
INTERESTS:**

Animal rescue, collecting contemporary and folk/outsider art, attending visual and
performing arts events, reading, painting, watching films and scuba diving.

REFERENCES:

Available upon request.