

## DAVID ALAN SKLANSKY

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### EMPLOYMENT

- 2005 - **Professor**, University of California, Berkeley, School of Law. Major subjects: Criminal Law, Criminal Procedure, Evidence. *Visiting Professor*, 2004-2005. *Faculty Chair*, Berkeley Center for Criminal Justice, 2006-2011 (*Co-Chair*, 2007-08). *Yosef Osheawich Endowed Chair in Advocacy and Dispute Resolution*, 2009-. Dean's Faculty Advisory Committee, 2010-. Faculty Commencement Speaker, 2011. Distinguished Teaching Award, 2012.
- 2011 **Visiting Professor**, Stanford Law School.
- 2007 - 2008 **John H. Watson, Jr. Visiting Professor**, Harvard Law School.
- 1994 - 2005 **Professor**, UCLA School of Law. *Acting Professor*, 1994-1999; *Professor*, 1999-2005. *Associate Dean*, 2002-2003. Professor of the Year, 1996 and 2003. UCLA Distinguished Teaching Award, 2000. Dean's Advisory Committee, 1999-2002.
- 1987 - 1994 **Assistant United States Attorney**, Office of the United States Attorney, Criminal Division, Los Angeles, California. *Chief, Criminal Complaints Section*, 1993-1994. John Marshall Award for Outstanding Legal Achievement, 1994.
- 1986 - 1987 **Associate**, Bredhoff & Kaiser, Washington, D.C.
- 1985 - 1986 **Law Clerk** to Justice Harry A. Blackmun, Supreme Court of the United States.
- 1984 - 1985 **Law Clerk** to Judge Abner J. Mikva, United States Court of Appeals for the District of Columbia Circuit.

### EDUCATION

- 1981 - 1984 Harvard Law School. J.D., *magna cum laude*, 1984.
- 1977 - 1981 University of California, Berkeley. A.B. in Biophysics, Highest Honors, 1981.

### SELECTED PUBLICATIONS

#### Books

Police Reform from the Bottom Up: Officers and Their Unions as Agents of Change (Routledge 2011) (co-edited with Monique Marks).

Democracy and the Police (Stanford University Press 2008).

Evidence: Cases, Commentary, and Problems (Aspen Publishers 2003, 2d ed. 2008, 3d ed. 2012) (with teacher's manual and annual statutory supplement).

## **Articles and Chapters**

*Evidentiary Instructions and the Jury as Other*, forthcoming, Stan. L. Rev. (2013).

*Crime, Immigration and Ad Hoc Instrumentalism*, 15 New Crim. L. Rev. 157 (2012).

*Stealing Bill Stuntz*, in *The Political Heart of Criminal Justice: Essays on Themes of William J. Stuntz* (Michael Klarman, David Skeel & Carol Steiker eds., Cambridge University Press 2012).

*Private Policing and Human Rights*, 5 Law & Ethics Hum. Rts. 112 (2011).

*Hearsay's Last Hurrah*, 2009 Sup. Ct. Rev. 1 (2010).

*Anti-Inquisitorialism*, 122 Harv. L. Rev. 1649 (2009).

*Science, Suspects, and Systems: Lessons from the Anthrax Investigation*, 8 Issues in Legal Scholarship, Iss. 2, Art. 3 (2009) (co-authored with Erin Murphy).

*"One Train May Hide Another": Katz, Stonewall, and the Secret Subtext of Criminal Procedure*, 41 U.C. Davis L. Rev. 875 (2008).

*Is the Exclusionary Rule Obsolete?*, 5 Ohio St. J. Crim. L. 567 (2008).

*Work and Authority in Policing*, in *Police in the Liberal State* (Markus Dubber & Mariana Valverde eds., Stanford University Press 2008).

*Seeing Blue: Police Reform, Occupational Culture, and Cognitive Burn-In*, in *Police Occupational Culture: New Debates and Directions* (Megan O'Neill, Monique Marks & Anne-Marie Singh eds., Elsevier 2007).

*Not Your Father's Police Department: Making Sense of the New Demographics of Law Enforcement*, 96 J. Crim. L. & Criminology 1209 (2006).

*Private Police and Democracy*, 43 Am. Crim. L. Rev. 89 (2006).

*The Story of Katz v. United States: The Limits of Aphorism*, in *Criminal Procedure Stories* (Carol Steiker ed., Foundation 2006).

*Comparative Law Without Leaving Home: What Civil Procedure Can Teach Criminal Procedure, and Vice Versa*, 94 Geo. L.J. 683 (2006) (co-authored with Stephen Yeazell).

*Police and Democracy*, 103 Mich. L. Rev. 1699 (2005).

*Quasi-Affirmative Rights in Constitutional Criminal Procedure*, 88 Va. L. Rev. 1229 (2002).

*Back to the Future: Kylo, Katz, and Common Law*, 72 Miss. L.J. 143 (2002).

*The Fourth Amendment and Common Law*, 100 Colum. L. Rev. 1739 (2000).

*The Private Police*, 46 UCLA L. Rev. 1165 (1999).

*Starr, Singleton, and the Prosecutor's Role*, 26 Fordham Urb. L.J. 509 (1999).

*Traffic Stops, Minority Motorists, and the Future of the Fourth Amendment*, 1997 Sup. Ct. Rev. 271.

*Proposition 187 and the Ghost of James Bradley Thayer*, 17 Chicano-Latino L. Rev. 24 (1995).

*Cocaine, Race, and Equal Protection*, 47 Stan. L. Rev. 1283 (1995).

### **Miscellaneous**

*Confrontation and Kabuki*, forthcoming, Brooklyn L. Rev. (2012).

*Dick Wolf Goes to Law School: Integrating the Humanities into Courses on Criminal Law, Criminal Procedure, and Evidence*, 3 Cal. L. Rev. Circuit 165 (2012).

*A Postscript on Katz and Stonewall: Evidence from Justice Stewart's First Draft*, 45 U.C. Davis L. Rev. 1487 (2012).

*Comment*, in *Controlling Crime: Strategies and Payoffs* (Philip J. Cook, Jens Ludwig & Justin McCrary eds., University of Chicago Press 2011).

*The Persistent Pull of Police Professionalism*, *New Perspectives in Policing* (Harvard Kennedy School/National Institute of Justice, 2011).

*Confined, Crammed, and Inextricable: What The Wire Gets Right*, 8 Ohio St. J. Crim. L. 473 (2011).

*Voices from Below: Unions and Participatory Arrangements in the Police Workplace*, 9 Police Prac. & Res. 85 (2008) (co-authored with Monique Marks) (introducing special issue co-edited with Monique Marks).

*The Role of the Rank and File in Police Reform*, 18 Policing & Soc'y 1 (2008) (co-authored with Monique Marks) (introducing special issue co-edited with Monique Marks).

*Book Review*, 41 L. & Soc'y Rev. 233 (2008) (reviewing Wesley G. Skogan, *Police and Community in Chicago: A Tale of Three Cities* (2006)).

*Book Review*, 20 Governance 544 (2007) (reviewing John Bailey & Lucia Dammert, *Public Security and Police Reform in the Americas* (2006)).

*Killer Seatbelts and Criminal Procedure*, 119 Harv. L. Rev. F. 56 (2006).

*Foreword*, 26 Berkeley J. Crim. L. [xii] (2006).

*The Feds Aren't Listening*, Boston Rev., Dec. 2004/Jan. 2005, at 16.

*Plea Bargaining* (with Arthur Rosett) and *Private Policing*, in *The Oxford Companion to American Law* (Kermit L. Hall ed., 2002).

*Some Cautious Optimism About the Problem of Racial Profiling*, 3 Rutgers Race & L. Rev. 293 (2001).

*Report of the Rampart Independent Review Panel: A Report to the Los Angeles Board of Police Commissioners Concerning Special Order 40* (2001) (co-authored).

*Report of the Rampart Independent Review Panel: A Report to the Los Angeles Board of Police Commissioners Concerning the Operations, Policies, and Procedures of the Los Angeles Police Department in the Wake of the Rampart Scandal* (2000) (co-authored).

*Crack Cocaine and Equal Protection, Harry A. Blackmun and Traffic Stops, in Encyclopedia of the American Constitution* (Leonard W. Levy et al. eds., 2d ed. 2000).

*Book Review, 30 J. Interdisc. Hist. 643* (Spring 2000) (reviewing Vivien Stern, *A Sin Against the Future: Imprisonment in the World* (1998)).

*Awards of Attorneys' Fees to Unsuccessful Environmental Litigants, 96 Harv. L. Rev. 677* (1983).

*Developments in the Law -- Immigration Policy and the Rights of Aliens -- VI. Discrimination Against Documented Aliens, 96 Harv. L. Rev. 1400* (1983) (co-authored).

#### **OTHER**

Member, Oakland Police Department Academic Advisory Group (2010-2011). Member, Harvard Kennedy School Executive Session on Policing and Public Safety (2008- ). Associate Investigator, Centre of Excellence in Policing and Security, Australian Research Council (2008-2012). Editorial Board Member, Aspen Publishers (2006- ). Editorial Board Member, *New Criminal Law Review* (2006- ). Special Counsel, Rampart Independent Review Panel (2000-2001). Special Master, United States District Court for the Central District of California (2000-2001). Advisory Committee Member, *Break the Cycle* (1997-2005). Special Assistant United States Attorney, Office of the United States Attorney for the Central District of California (1994-1999).