

SHARON L. DAVIES

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Moritz College of Law
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TEACHING EXPERIENCE

The Ohio State University Moritz College of Law, Columbus, Ohio.

December 2002 to present:	John C. Elam/Vorys Sater Designated Professor of Law.
January 2004 to June 2006:	Associate Dean for Faculty.
August 2002:	Professor of Law.
August 1999:	Associate Professor of Law.
August 1995 to 1999:	Assistant Professor of Law.

Principal Subjects:

Criminal Law; Criminal Procedure; Evidence;
Advanced Topics in Criminal Justice (seminar);
Race and the Criminal Law (seminar).

University of Michigan School of Law, Ann Arbor, Michigan

Fall Semester 2003	Visiting Professor of Law.
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<u>Subjects:</u>	Criminal Law; Advanced Topics in Criminal Justice (seminar).
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The University of Oxford, St. Anne's College, Oxford, England
The University of Oxford-Ohio State University Summer Law Program

Summer 2001	Associate Professor of Law. Comparative Trial Practice
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OTHER EMPLOYMENT

United States Attorney's Office for the Southern District of New York, New York, New York.

August 1990-February 1995:	Assistant United States Attorney, Criminal Division.
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Principal Responsibilities: Directed investigations of, and prosecuted, domestic and international violations of federal criminal law at trial and appellate levels, including bank fraud, money laundering, public corruption, income tax evasion, mail and wire fraud, racketeering and narcotics trafficking.

Lord Day & Lord, Barrett Smith, New York, New York.

Summer 1988-August 1990. Litigation Associate.

Step toe & Johnson, Washington, D.C.
Summer 1987-Summer 1988. Litigation Associate.

Lord Day & Lord, New York, New York.
Summer 1986. Summer Associate.

Rheinhardt & Shachter, Newark, New Jersey.
Summer 1985. Summer Associate.

EDUCATION

Columbia University School of Law, New York, New York. J.D. May, 1987.
Harlan Fiske Stone Scholar; Notes & Comments Editor, *Columbia Law Review*; Member, Black Law Students Association.

University of Massachusetts at Amherst. B.A. in Political Science, 1984.

AWARDS AND HONORS

Named John C. Elam/Vorys Sater Designated Professor of Law, December 2002.

Honorable Mention, Outstanding Faculty Member of the Year Award 2001, presented by The Ohio State University College of Law, Class of 2001.

Academic Leadership Fellow , Committee on Institutional Cooperation (CIC), Academic Leadership Program for 2001-2002.

PUBLICATIONS

Books

RISING ROAD—A TALE OF RACE, RELIGION, LAW & FEAR IN AMERICA (in progress).
MEDICARE AND MEDICAID FRAUD AND ABUSE (3d. ed. West Group 2002-03) (with Timothy S. Jost).
MEDICARE AND MEDICAID FRAUD AND ABUSE (2d. ed. West Group 2001-02) (with Timothy S. Jost).
MEDICARE AND MEDICAID FRAUD AND ABUSE (West Group 1998) (with Timothy S. Jost).

Articles, Essays and Book Reviews

A. Criminal Law and Criminal Procedure

Sharon L. Davies, *Katz in the Age of Hudson v. Michigan: Some Thoughts on Suppression as a Last Resort*, __ U.C. Davis L. J. __ (forthcoming 2007) (with Anna Scanlon).

Sharon L. Davies, *Taking Hudson Seriously—The Case for Miranda-Defective Suppression*, 39 Tex. Tech. L. Rev. 1207 (2007).

Sharon L. Davies, *The Reality of False Confessions: Lessons of the Central Park Jogger Case*, 30 N.Y.U. JOURNAL OF LAW & SOCIAL CHANGE 209 (2006).

Sharon L. Davies, *Defending Mohammad, Justice on Trial*, 102 MICHIGAN LAW REVIEW 1130 (2004) (book review).

Sharon L. Davies, *Profiling Terror*, 1 OHIO STATE CRIMINAL LAW JOURNAL 45 (2003).

Sharon L. Davies, *Study Habits: Probing Modern Attempts to Assess Minority Offender Disproportionality*," 66 LAW AND CONTEMPORARY PROBLEMS 101 (2003).

Sharon L. Davies, *The Penalty of Exclusion—A Price or Sanction?*, 73 SOUTHERN CALIFORNIA LAW REV. 101 (2000).

Sharon L. Davies, *The Jurisprudence of Willfulness: An Evolving Theory of Excusable Ignorance*, 48 DUKE LAW JOURNAL 341 (1998).

B. Health Care Fraud and Abuse

Sharon L. Davies, *The Empire Strikes Back: A Critique of the Backlash Against Fraud and Abuse Enforcement*, 51 ALABAMA LAW REVIEW 239 (Fall 1999) (with Timothy S. Jost). Solicited contribution to symposium issue addressing Health Care Fraud: Past, Present and Future.

Sharon L. Davies, *Managed Care: Placebo or Wonder Drug for Health Care Fraud and Abuse?*, 31 UNIVERSITY OF GEORGIA LAW REVIEW 373 (Winter 1997) (with Timothy S. Jost). Solicited contribution to symposium issue addressing Managed Health Care.

Miscellaneous Publications

Sharon L. Davies, *Identifying the Nature of the Penalty of Exclusion : A Price or Sanction? (Part I)*, Vol.28, No. 6, SEARCH AND SEIZURE LAW REPORT 41-48 (West Group) (July 2001).

Sharon L. Davies, *Identifying the Nature of the Penalty of Exclusion: A Price or Sanction? (Part II)*, Vol. 28, No. 7, SEARCH AND SEIZURE LAW REPORT 48-56 (West Group) (August 2001).

Sharon L. Davies, *Arraignment*, THE ENCYCLOPEDIA OF CRIME AND JUSTICE (rev. ed.) (2001).

Sharon L. Davies, *Bryan v. United States: Clarification of the Anti-Kickback Statute's Scienter Requirement*, HEALTH LAW NEWS, Vol. XII, No. 1, at 10 (September 1998).

Sharon L. Davies, *Willfulness Under the Anti-Kickback Rules--Lessons from Bryan v. United States*, THE HEALTH LAWYER, Vol. 10, No. 6 at 14-18 (July 1998).

Sharon L. Davies, *Guidance on the Meaning of 'Willfulness' Looming? How Bryan Might Affect the Hanlester Debate*, THE HEALTH LAWYER, Vol. 10, No. 4 at 14-18 (March 1998).

Sharon L. Davies, *The Fraud and Abuse Statute: Rationalizing or Rationalization?* 15 HEALTH AFFAIRS 129 (Winter 1996) (with Professor Timothy S. Jost).

Sharon L. Davies, *New Limits on Superseniority: Ignoring the Importance of Efficient Union Operations*, 86 COLUMBIA LAW REVIEW 631 (1986).

BAR ADMISSIONS AND PROFESSIONAL AFFILIATIONS

Admissions

New York, First Department. March 1988.

Affiliations

Member, Association of American Law Schools, Committee on Sections and Annual Meeting, January 2007-2010 (3 year appointment).

Member, Association of American Law Schools, Special Committee on Open Source Programs, January 2007-2008.

Chair, Association of American Law Schools, Section on Criminal Justice, January 2005-2006.

Chair-Elect, Association of American Law Schools, Section on Criminal Justice, Jan. 2004-2005.

Secretary, Association of American Law Schools, Section on Criminal Justice, Jan. 2003-2004.

Chair, AALS Planning Committee for Criminal Justice Workshop, January 2005-June 2006.

Member, American Bar Association. 1995-present.

Executive Committee, Association of American Law Schools Section on Criminal Justice, 1995-present.

Member, AALS Committee on Professional Development. Three year appointment, 1999-2002.

Member, AALS Evidence Planning Committee, 2000-2002.

Member, AALS Trust and Estates Planning Committee, 1999-2001.

Chair, Columbus Bar Association Task Force on Racial Profiling. 2000-2001.

Member, The American Bar Association Health Law Section. 1997-present.

Member, Ohio Women in Legal Education. 1995-present.

Member, New York State Bar Association. 1987-present.
Member, Association of the Bar of the City of New York. 1987-present.
Member, Association of American Law Schools Section on Minority Groups, 1995-present.
Member, Franklin County Inns of Court, Columbus, Ohio, 1998-present.

PROFESSIONAL SPEAKING ENGAGEMENTS

Keynote Speaker, The Reality of False Confessions: Lessons of the Central Park Jogger Case, 5th Annual Criminal Justice Forum, Cleveland-Marshall College of Law. April 29, 2004.

Invited Panelist, False Confessions, 2004 AALS Annual Meeting, Co-sponsored by Criminal Justice and Evidence Sections.

Invited Speaker, Opening Roundtable Discussion on "Militarisms and Other '-isms': A Critical Discussion of Current Affairs," Eighth Annual LatCrit Conference, Cleveland, Ohio, May 1, 2003.

Invited Speaker, Ethnic Profiling after September 11, 2001, 16th International Conference, The International Society for the Reform of the Criminal Law, Charleston, South Carolina, December 10, 2002.

Invited Panelist, Racial Profiling Community Forum, sponsored by Columbus City Councilmember Kevin Boyce and the Columbus Urban League, Columbus, Ohio, August 29, 2001.

Invited Panelist, Developments in Ohio Rules of Evidence, sponsored by Professional Education Systems, Inc., Columbus, Ohio, October 20, 2000.

Invited Panelist, Developments in Ohio Rules of Evidence, sponsored by Professional Education Systems, Inc., Columbus, Ohio, September 30, 1999.

Invited Speaker, Health Care Fraud and Abuse, 20th Annual Health Law Teacher's Conference, sponsored by the American Society of Law, Medicine and Ethics and the Center for Health Law Studies of the St. Louis University School of Law, St. Louis, Missouri. June 3, 1999.

Invited Speaker, Health Care Fraud and Abuse, 19th Annual Health Law Teacher's Conference, sponsored by the American Society of Law, Medicine and Ethics and the Health Law and Policy Institute of the University of Houston Law Center, Houston, Texas. June 1998.

Invited Commentator, 9th Annual Midwestern People of Color Legal Scholarship Conference. Commented on a paper regarding incarceration rates of African American males presented by Law Professor Robin Magee. March 27, 1998.

Keynote Speaker, Fraud and Abuse in Managed Care, 1997 Medicaid Fraud Control Unit Training Conference, sponsored by the National Association of Medicaid Fraud Control Units, Cleveland, Ohio, July 20, 1997.

Invited Speaker, Recent Developments in Criminal Procedure, Ohio Municipal Attorney's Association, 1996 Municipal Law Institute. July 12, 1996.

Invited Speaker, Medicaid and Medicare Fraud -- The Imposition of the Criminal Sanction, Conference on Fraud in Life and Health Insurance, sponsored by the Ohio Department of Insurance. November 16, 1995.

SERVICE TO THE COLLEGE OF LAW

University Committees

Search Committee, Director of the Kirwan Institute for the Study of Race and Ethnicity. August 2001 to April 2002.

Search Committee, Dean, Moritz College of Law. April 2001-July 2001.

Law School Committees

Promotion & Tenure Committee, 2006

Academic Affairs Committees, 2005, 2004

Appointments Committee, 2005, 2004, 2001-02, 1996-97.

Long Range Planning Committee, 2004.

Committee on Minority Affairs and Affirmative Action, 1996-97, 1998. Chair, 1999, 2000.

College Investigation Committee, 1999-2001.

Honor Council, Advisor to Prosecutor, 1999-2000.

Admissions Committee, 1997-1998, 1995-1996.

Law School Discussions, Presentations and Demonstrations

Invited Speaker, Judges Day, Profiling Terror. March 2004.

Invited Speaker, panel discussion concerning the constitutional basis for impeachment or censure of the President of the United States in connection with the Monica Lewinsky scandal. September 17, 1998.

Invited Panelist, Panel Discussion on **ç**The O.J. Simpson Verdict,**ç** October 1995.

Other

Faculty Advisor, Frederick Douglass Moot Court Team. 2000-01, 2001-02, 2002-03.

Faculty Advisor, Criminal Law Moot Court Team. 1999-2000.

Co-Faculty Advisor, Criminal Law Moot Court team. 1998-99.

Co-Faculty Advisor, to the Gay Lesbian Bisexual Law Caucus (GLBLC). 1997-98.

SERVICE OUTSIDE THE COLLEGE OF LAW

Chairperson-Elect, Criminal Justice Section, Association of American Law Schools (AALS). 2004-05.

Secretary, Criminal Justice Section, Association of American Law Schools (AALS). 2003-04.

Chairperson, Columbus Bar Association Task Force on Racial Profiling. 2000-2001.
Member, American Association of Law Schools, Committee on Professional Development. Appointed by President of AALS for a three-year term, 1999-2002.
Member, American Association of Law Schools, Evidence Planning Committee, 2000-2002.
Member, American Association of Law Schools, Trust and Estates Planning Committee, 1999-2001.

RADIO AND TELEVISION CONTRIBUTIONS

Guest Commentator, CourtTV Radio, false confessions & the JonBenet Ramsey arrest, August 25, 2006.
Guest Commentator, WAQY, false confessions & the JonBenet Ramsey arrest, Aug. 21, 2006
Guest Commentator, WGST, false confessions & the JonBenet Ramsey arrest, WGST, Aug. 21, 2006.
Guest Commentator, Fox News, false confessions & the JonBenet Ramsey arrest, Aug. 19, 2006.
Guest Commentator, CKGL, false confessions & the JonBenet Ramsey arrest, Aug. 18, 2006.
Guest Commentator, CFUN, false confessions & the JonBenet Ramsey arrest, Aug. 18, 2006
Guest Commentator, WAZO, 107.1 FM, racial profiling, April 15, 2001.
Guest Commentator, WOSU, *United States v. Dickerson*, July 22, 1999.
Guest Commentator, WTVN News Radio, 610 AM, Columbus, Ohio, discussing the House Judiciary Committee hearings concerning allegations of criminal conduct respecting the President of the United States. October 11, 1998.
Guest Commentator, WTVN News Radio, disclosure of grand jury materials collected by Independent Counsel Kenneth Starr to Congress and the public, September 21, 1998.
Guest Commentator, WTVN News Radio, constitutional basis for impeachment or censure of the President of the United States in connection with the Monica Lewinsky scandal., September 20, 1998.
Guest Commentator, WTVN News Radio, the role of the grand jury, February 22, 1998.
Guest Commentator, WTVN News Radio, discussing the Unabomber trial, January 11, 1998.
Guest Commentator, WTVN News Radio, the Terry Nichols trial. December 28, 1997.
Guest Commentator, WTVN News Radio, the Louisa Woodward (British Nanny) trial, November 16, 1997.
Guest Commentator, WTVN News Radio, Megans' Laws., July 13, 1997.
Guest Commentator, WTVN News Radio, the trial of Timothy McVeigh. April 20, 1997, April 27, 1997, May 4, 1997, May 18, 1997, and May 25, 1997.