

Melanie D. Wilson
Professor and Associate Dean for Academic Affairs
The University of Kansas School of Law
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Academic Appointments:

University of Kansas School of Law, Lawrence, Kansas
Professor – May, 2011 to present
Associate Dean for Academic Affairs – January, 2012 to present
Associate Professor (without tenure) -- June 2007 to May 2011
Courses Taught: Evidence, Criminal Procedure, Criminal law, the Art of Advocacy.

Marshall Wythe School of Law, College of William and Mary, Williamsburg, Virginia
Visiting Professor -- August 2011 to December 2011
Courses Taught: Evidence and Criminal Procedure.

John Marshall Law School, Atlanta, Georgia
Associate Professor (without tenure) – June 2005 to July 2007
Courses Taught: Evidence, Criminal Procedure, Criminal Law, Advanced Criminal Procedure.

Emory University School of Law, Atlanta, Georgia
Adjunct Professor -- August 1994 to May 1999.
Course Taught: Research, Writing, and Advocacy.

Education:

University of Georgia School of Law, Athens, Georgia
Juris Doctor, *magna cum laude* -- May 1990
Order of the Coif; *Georgia Law Review* Editorial Board Member.

University of Georgia, Athens, Georgia
Bachelor of Arts, Journalism, *magna cum laude* -- June 1987
Academic All-American (1986); Academic All-SEC (1985 and 1986); Alumni Academic/Athlete Award for Golf (1985 and 1986).

Awards:

Recipient, Howard M. and Susan Immel Award for Teaching Excellence, University of Kansas School of Law, 2011.

Legal Experience:

Assistant United States Attorney

United States Attorney's Office, Northern District of Georgia, Atlanta, Georgia --
October 2001 to May 31, 2005; Middle District of Georgia, Macon, Georgia,
September 1999 to October 2001.

Job Duties: Assistant United States Attorney, Criminal Division -- prosecuting violent crimes, government fraud, immigration, and public corruption cases; Civil Defensive AUSA.

Assistant Attorney General, State of Georgia

Office of the Attorney General, Atlanta, Georgia, March 1995 to April 1999.

Job Duties: Defending state agencies in federal litigation involving alleged employment discrimination and alleged violations of civil rights; representing the Georgia Medical Board and handling the administrative prosecutions of physicians.

Associate Attorney

Sutherland, Asbill & Brennan, Atlanta, Georgia

September 1993 to February 1995.

Smith, Gambrell & Russell, Atlanta, Georgia

Summer 1989, August 1990 to December 1991.

Federal Judicial Clerk

The Honorable Richard C. Freeman

United States District Court, Northern District of Georgia

January 1992 to August 1993.

Publications:

Books:

Criminal Procedure, Seventh Edition (co-author with Joseph G. Cook and Paul Marcus)
(LexisNexis 2009);

Gilbert Law Summaries, Criminal Procedure, 18th Edition (West Academic Publishing 2011)
(with Paul Marcus).

Articles and Essays: (most are available on SSRN – <http://ssrn.com/author=507128>)

Juror Privacy in the Sixth Amendment Balance, __Utah Law Review __ (forthcoming Fourth Issue, 2012);

Quieting Cognitive Bias With Standards for Witness Communications, 62 Hastings L.J. 1227 (2011);

Improbable Cause: A Case for Judging Police by a More Majestic Standard, 15 Berk. J. Crim. L. 259 (2010);

“You Crossed the Fog Line!” – Kansas, Pretext, and the Fourth Amendment, 58 Kan. L. Rev. 1179-1220 (2010);

An Exclusionary Rule for Police Lies, 47 Am. Crim. L. Rev. 1-55 (2010);

The Return of Reasonableness: Saving the Fourth Amendment From the Supreme Court, 59 Case W. Res. L. Rev. 1-60 (2008);

Reprinted, in part, Cynthia Lee, *The Fourth Amendment: Searches and Seizures, The Fourth Amendment, Its Constitutional History and the Contemporary Debate* (Prometheus Books 2011);

Prosecutors “Doing Justice” Through Osmosis – Reminders to Encourage a Culture of Cooperation, 45 Am. Crim. L. Rev. 67-113 (2008);

Finding a Happy and Ethical Medium Between a Prosecutor Who Believes the Defendant Didn’t Do It and the Boss Who Says That He Did, 103 Nw. U. L. Rev. Colloquy 65-71 (Aug. 25, 2008), available at <http://colloquy.law.northwestern.edu/main/2008/08/finding-a-happy.html>;

DNA – Intimate Information or Trash for Public Consumption?, Baylor L. Rev., *TexSupp* (July 24, 2008), available at <http://www.TexSupp.com/2008/07/24/dna-intimate-information-or-trash-for-public-consumption/>;

A Return to the Grand Jury to Promote a Zen Zeal in Prosecutors, Wash.U. L. Rev, *Slip Opinions*, <http://lawreview.wustl.edu/2008/04/02/a-return-to-the-grand-jury-to-promote-a-zen-zeal-in-prosecutors/> (Apr. 2, 2008);

The Price of Pretrial Release: Can We Afford to Keep Our Fourth Amendment Rights?, 92 Iowa L. Rev. 159-211 (2006);

Adapted for publication in “The Fourth Amendment Price of Pretrial Release,” 34 Search & Seizure Law Report No. 5 (May 2007);

In Booker’s Shadow: Restitution Forces a Second Debate on Honesty in Sentencing, 39 Ind. L. Rev. 379-416 (2006);

Since When Is Dicta Enough to Trump Fourth Amendment Rights? – The Aftermath of Florida v. J.L., 31 Ohio N. Univ. L. Rev. 211-230 (2005);

Adapted for publication in “*Florida v. J.L.*: Supreme Court Dicta Clears a Path Through Established Fourth Amendment Rights,” 33 Search & Seizure Law Report No. 1 (January 2006).

Other Works:

Criminal Procedure, Seventh Edition, 2010 and 2011 Supplement (LexisNexis);

Criminal Procedure, Seventh Edition, Teacher's Manual (LexisNexis 2009), pp. 1, 69-83 (co-authored with Joseph G. Cook and Paul Marcus).

Works in Progress:

Prosecutorial Abuse

Presentations:

Presenter, Faculty Workshop, University of Iowa College of Law, Iowa City, IA (upcoming April 6, 2012);

Panelist, "Government GPS Monitoring: Big Brother or No Big Deal?," Marshall Wythe School of Law, College of William and Mary, Williamsburg, VA (September 20, 2011);

Presenter, "Gender Disparities in the Federal Justice System," the Association of American Law Schools Workshop on "Women Rethinking Equality," Washington, DC (June 21, 2011);

Panelist, "Adjudication and Trial," Law and Society Annual Conference, San Francisco, California (June 4, 2011);

Presenter, "Juror Exposure," Faculty Workshop, University of Nebraska College of Law, Lincoln, Nebraska (April 12, 2011);

Poster Presenter, "Improbable Cause: A Case for Judging Police By a More Majestic Standard," Conference on Empirical Legal Studies, Yale Law School, New Haven, Connecticut (November 5, 2010);

Presenter, Roundtable Studying American Bar Association Proposed Prosecution and Defense Function Standards, Case Western Reserve University School of Law, Cleveland, Ohio (October 29, 2010);

Presenter, Roundtable Studying American Bar Association Proposed Prosecution and Defense Function Standards, Roger Williams University School of Law, Bristol, Rhode Island (October 15, 2010);

Presenter, Junior Faculty Workshop, "Protecting Jurors With the Fourth and Fifth Amendments," Michigan State University School of Law, Lansing, Michigan (October 1, 2010);

Presenter, Roundtable Studying American Bar Association Proposed Prosecution and Defense Function Standards, Ethical Communications With Third Parties, Stetson University College of Law, Tampa, Florida (Sept. 25, 2010);

Panelist, Panel: Police and the Courts: Judicial Management and Evaluation of Law Enforcement Activity, Law & Society Annual Conference, Chicago, Illinois (May 27, 2010);

Participant, Southwest Junior Faculty Conference, Arizona State University School of Law, Tempe, AZ (March 15, 2010);

Presenter, “Judging Police Lies: An Empirical Perspective,” Faculty Workshop, University of North Carolina School of Law, Chapel Hill, North Carolina (February 26, 2010);

Presenter, “Judging Police Lies: An Empirical Perspective,” Faculty Workshop, Washburn University School of Law, Topeka, Kansas (February 19, 2010);

Presenter, “Judging Police Lies: An Empirical Perspective,” Faculty Workshop, William and Mary School of Law, Williamsburg, Virginia (January 28, 2010);

Presenter, “Judging Police Lies: An Empirical Perspective,” Faculty Workshop, The University of Oregon School of Law, Eugene, Oregon (November 11, 2009);

Presenter, “Judging Police Lies: An Empirical Look,” Faculty Workshop, Atlanta’s John Marshall Law School, Atlanta, Georgia (November 4, 2009);

Presenter, Central States Law Schools Association 2009 Conference, Columbus, Ohio – presenting, “Judging Police Lies” (Oct. 24, 2009);

Panelist, “Fear and Loathing in Criminal Law,” 2009 Law & Society Meeting, Denver, Colorado (May 29, 2009);

Presenter, “Police Lies,” Faculty Exchange Workshop, University of Missouri School of Law, Columbia, MO (April 24, 2009);

Presenter, Junior Faculty Regional Workshop, Washington University School of Law, St. Louis, Missouri – presented “Finding the Truth in Police Lies” (Dec. 5, 2008);

Presenter, Central States Law Schools Association 2008 Conference, Southern Illinois University, Carbondale, Illinois – presented “The Return of Reasonableness: Saving the Fourth Amendment From the Supreme Court” (Oct. 25, 2008);

Commenter, University of Kansas School of Law Federalist Society Noon Forum, “Under Fire: *D.C. v. Heller* and the Second Amendment” -- offered insights on the impact of the *Heller* decision for state and federal prosecutors (Oct. 14, 2008);

Presenter, 2008 Midwest Law and Society Retreat, University of Wisconsin, Madison – Part of Panel on Privacy Interests – presented “Returning Reasonableness to the Fourth Amendment” (Sept. 20, 2008);

Presenter, Faculty Scholarship Workshop, University of Cincinnati College of Law, Cincinnati, Ohio – Presented Draft of “Prosecutors Doing Justice Through Osmosis” (Sept. 28, 2007);

Speaker, Continuing Legal Education Program, John Marshall Law School, Atlanta, Georgia -- Discussed "Significant Criminal and Criminal Procedure Decisions in the 2005 Supreme Court Term" (Dec. 19, 2006).

Academic Service:

KU Law School Service:

- Co-advisor, Kansas Law Review (2011-12) (with Prof. Christopher R. Drahozal);
- Member, Faculty Appointments Committee (2009-10; 2011-12);
- Member, Faculty Workshops and Lectureships Committee (2007-08; 2008-09; 2010-11);
- Faculty Mentor, Journey to JD Program, University of Kansas School of Law (Summer 2011)
- Teacher, Mock Class Wichita Bar Ass'n High School Students (Apr. 7, 2011)
- Speaker, "What Are Your Rights?" – Black Law Students Association's Thurgood Marshall Law Day, Feb. 25, 2011 and Feb. 24, 2012
- Teacher, Mock Class 1L Orientation (fall 2010);
- Faculty Sponsor, Externship Clinic (2 students), USAO (summer 2008);
- Coach, KU Law Competitive Mock-trial Team (2007-08).

Kansas University Service:

- Member, Search Committee for Dean of the Law School (2010-2011);
- Faculty Mentor, University of Kansas Athletics Faculty Mentor Program, Women's Swim Team (2010-11; 2009-10);
- Member, Phi Kappa Phi Awards Committee (fall 2007).

Service to the Community:

- Academic Presenter, American Bar Association Project to Amend the Prosecution and Defense Standards (2009-present);
- Member, Advisory Committee to the Kansas Judicial Council (Aug. 2008-April, 2009) – (studying 2008 House Bill No. 2943 regarding false claims and resulting in passage of SB 44 on April 20, 2009);
- Member, KC Legal
- Member, Judge Hugh Means Inn of Court (2007-08);
- Reviewed proposed criminal law study aid, Chapters 6-13 (May 2007)

John Marshall Law School Service:

- Chair, Curriculum Committee (2006-07);
- Coach, two competitive mock-trial competition teams (fall and spring, 2006-07);
- Member Academic Standards Committee (2005-07);
- Member, Dean Search Committee (spring 2006);
- Member, Faculty Recruitment Committee (2005-06);
- Member, Faculty Development Committee (2005-06).

Admitted to Practice:

State of Georgia – all Georgia state courts, including Supreme Court of Georgia
Eleventh Circuit Court of Appeals, Northern, Middle, and Southern federal district courts in
Georgia.

Media Quotes:

Sonia Scherr, “Alleged Killer of Abortion Doctor Fights for Necessity Defense,” Southern
Poverty Law Center Blog (Nov. 25, 2009) (regarding the necessity defense), available at
<http://www.splcenter.org/blog/2009/11/25/alleged-killer-of-abortion-doctor-fights-for-necessity>

Roxana Hegeman, Associate Press, “Judge Mulls Pivotal Issues in Kansas Abortion Trial,”
(quoted on necessity or “choice of evils” defense), appeared in The New York Times; The
Washington Post; The Los Angeles Times (Dec. 20, 2009); USA Today; Lawrence Journal-
World (Dec. 21, 2009), available at
http://www.foxnews.com/printer_friendly_story/0,3566,580697,00.html

Roxana Hegeman, Associated Press, “Trial Begins in Slaying of Kansas Abortion Provider,”
Yahoo News (Jan. 22, 2010) (regarding the voluntary manslaughter defense in the Scott Roeder
murder trial), available at
http://news.yahoo.com/s/ap/20100122/ap_on_re_us/us_abortion_shooting_trial

Steven Koranda, Kansas Public Radio (Aug. 6, 2010) (recorded interview regarding role of
United States Attorney for the District of Kansas given appointment of Barry R. Grissom on
August 6), available at <http://www.kansaspublicradio.org/newsstory.php?itemID=23204>.

Linda Waddington, “Iowa Bills Open Door for Use of Deadly Force to Protect the Unborn,” The
Iowa Independent (Feb. 24, 2011), available at <http://iowaindependent.com/52869/iowa-bills-open-door-for-use-of-deadly-force-to-protect-the-unborn> See also “The National Effort to
Restrict Reproductive Rights,” The Huffington Post (2/25/11), available at
http://www.huffingtonpost.com/2011/02/25/reproductive-rights-restriction-efforts_n_828482.html#s245373&title=Iowa_Bill_Allows

Gia Vang, “Police Tracking Laws Changed by Supreme Court, Fox4KC.com (Jan. 23, 2012),
available at <http://mobile.fox4kc.com/?targetUrl=http://fox4kc.com/?p=26445>