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EMPLOYMENT

Seton Hall University School of Law, Newark, New Jersey

1972-Present Professor of Law

2006-Present Founder and Director – Center for Policy and Research

Teaching

Evidence, Remedies, Uniform Commercial Code, Contracts, Professional Responsibility,
Federal Civil Procedure, Criminal Law, Torts, and Constitutional Law

Community Action for Legal Services

1970-1972 Senior Attorney supervising city-wide litigation

South Bronx Legal Services

1968-1970 Staff Attorney

EDUCATION

1968 **J.D.**, *New York University School of Law*, New York, New York

1965 **B.A.**, *College of Wooster*, Wooster, Ohio

MEMBERSHIPS

New Jersey Bar (State and Federal)

New York Bar (State and Federal)

New Jersey Bar Association

American Bar Association

MISCELLANEOUS

Member, Board of Directors, *New York City Legal Services (CALs)*, 1972-1987

Chair, Board of Directors, *Community Action for Legal Services*, New York, NY, 1983-1987

Affiliated Scholar, *American Bar Foundation*, Chicago, Illinois, 1974-1978

Elected Member, *American Law Institute*, 1978

London School of Economics, Studied Legal History, Jurisprudence and Remedies
(Sabbatical 1978-1979)

Acting Project Director, *Bronx Legal Services Corporation*, March-September 1978

PUBLICATIONS

Books

The Guantanamo Lawyers: Inside a Prison Outside the Law, in Amazon/NYU Press (2009).
(Edited with Jonathan Hafetz)

New Jersey Evidentiary Foundations, Denbeaux, Arseneault and Imwinkelried, The Michie Company, 1995.

Trial Evidence, (with D. Michael Risinger), 1052 pp. I.C.L.E., 1978.

Articles

The Attorney-Client Relationship in Guantanamo Bay (with Boyd-Nafsta) 30 FORDHAM INT'L L. J. 491 (2007).

Kumho Tire and Expert Reliability: How the Question You Ask Gives the Answer You Get, (with Risinger) 34 SETON HALL L. REV. 15 (2003).

Brave New 'Post-Daubert World': A Reply to Professor Moenssens, (with Risinger and Saks) 29 SETON HALL L. REV. 405 (1998).

Exorcism of Ignorance as a Proxy for Rational Knowledge: The Lessons of Handwriting Identification 'Expertise', (with Risinger & Saks), U. OF PA. L. REV. (JAN. 1989).

The First Word of the First Amendment, NW. U. L. REV., P.1156 (SPRING 1988).

Questioning Questions: Problems of Form in the Interrogation of Witness, (with Risinger) 33 ARKANSAS L. REV. 439 (1980).

Restitution and Mass Actions: A Solution to the Problems of Class Actions, 10 SETON HALL L. REV. 273 (1979).

Trust, Cynicism, and Machiavellianism Among First Year Law Students, 53 J. OF URBAN L. 397 (1976).

PUBLICATIONS: CENTER FOR POLICY & RESEARCH

Report on Guantanamo Detainees: A Profile of 517 Detainees through Analysis of Department of Defense Data, (Joshua Denbeaux, David Gratz, John Gregorek, Matthew Darby, Shana Edwards, Shane Hartman, Daniel Mann and Helen Skinner)

Profile of Released Guantanamo Detainees: The Government's Story Then and Now, (Joshua Denbeaux, R. David Gratz, Co-Authors & Research Fellows: Adam Deutsch, James Hlavenka, Gabrielle Hughes, Brianna KostECKA, Michael Patterson, Paul Taylor, Anthony Torntore)

No-Hearing Hearings CSRT: The Modern Habeas Corpus? An Analysis of the Proceeding of the Government's Combatant Status Review Tribunals at Guantanamo, (November 2006) (Joshua Denbeaux, David Gratz, John Gregorek, Matthew Darby, Shana Edwards, Shane Hartman, Daniel Mann, Megan Sassaman and Helen Skinner)

Torture: Who Knew An Analysis of the FBI Department of Defense Reactions to Harsh Interrogation Methods at Guantanamo, (April 2009) (Joshua Denbeaux, R. David Gratz. With Megan Sassaman, Daniel Mann, Mathew Darby, Michael Ricciardelli, Jennifer Ellick, Grace Brown, Jillian Camarote, Douglas Eadie, Daniel Lorenzo, Mark Muoio, Courtney Ray)

The Meaning of "Battlefield" An Analysis of the Government's Representations of "Battlefield Capture and "Recidivism" of the Guantanamo Detainees, (December 2007) (Joshua Denbeaux, R. David Gratz, Co-Authors & Research Fellows: Grace Brown, Jullian Camarote, Douglas Eadie, Jennifer Ellick, Daniel Lorenzo, Mark Muoio, Courtney Ray and Nebroisa Zlatanovic)

Justice Scalia, the Department of Defense, And the Perpetuation of an Urban Legend: The Truth About the Alleged Recidivism of Released Guantanamo Detainees, (June 2008) (Joshua Denbeaux, R. David Gratz, Co-Authors & Research Fellows: Daniel Lorenzo, Mark Muoio, Grace Brown, Jennifer Ellick, Jullian Camarote, Douglas Eadie, and Paul Taylor)

Released Guantanamo Detainees of the Department of Defense: Propaganda by the Numbers?, (January 2009) (Joshua Denbeaux, R. David Gratz. Co-Authors & Research Fellows: Daniel Lorenzo, Mark Muoio, Grace Brown, Jullian Camarote, Douglas Eadie, Jennifer Ellick, Paul Taylor, Adam Deutsch, Michael Patterson, Gabrielle Hughes and Michelle Fish)

Revisionist Recidivism: A New Analysis of the Government's Representations of Alleged "Recidivism" of the Guantanamo Detainees, (June 2009)

June 10th Suicides at Guantanamo: Government Words and Deeds Compared, (August 2006) (Joshua Denbeaux, David Gratz, John Gregorek, Matthew Darby, Shana Edwards, Shane Hartman, Daniel Mann, Megan Sassaman and Helen Skinner)

Death in Camp Delta, (December 2009) (Co-Authors & Research Fellows: Brian Beroth, Scott Buerkle, Sean Camoni, Meghan Chrisner, Adam Deutsch, Jesse Dresser, Doug Eadie, Michelle Fish, Marissa Litwin, Michael McDonough, Michael Patterson, Shannon Sterrit, Kelli Stout, Paul Taylor)

DOD Contradicts DOD: An Analysis of the Response to Death in Camp Delta, (February 2010) (Co-Authors & Research Fellows: Brian Beroth, Scott Buerkle, Sean Camoni, Meghan Chrisner, Adam Deutsch, Jesse Dresser, Michelle Fish, Marissa Litwin, Michael McDonough, Michael Patterson, Shannon Sterritt, Kelli Stout, Paul Taylor)

The Guantanamo Detainees During Detention: Data From Department of Defense Records, (July 2006) (Joshua Denbeaux, David Gratz, John Gregorek, Matthew Darby, Shana Edwards, Shane Hartman, Daniel Mann, Megan Sassaman, Helen Skinner)

Captured On Tape: Interrogation and Videotaping of Detainees in Guantanamo, (February 2008) (Joshua Denbeaux, R. David Gratz, Jennifer Ellick, Michael Ricciardelli, Matthew Darby)

The 14 Myths of Guantanamo: Senate Armed Services Committee Statement of Mark P. Denbeaux, (April 2007)

Second Report on the Guantanamo Detainees: Inter- and Intra-Departmental Disagreements About Who Is Our Enemy, (Joshua Denbeaux, David Gratz, John Gregorek, Matthew Darby, Shana Edwards, Shane Hartman, Daniel Mann and Helen Skinner)

SPONSORED RESEARCH

American Bar Foundation—Recipient of a grant, with Professor Alan Katz of Fairfield University, Fairfield, Connecticut, to conduct a longitudinal study on law student attitudes toward politics, law and legal education, 1974-78.

Alteration or Elaboration: Does Law School Instill Cynicism? (with Alan Katz), National Conferences on Teaching Professional Responsibility, Detroit, Michigan, September 1977.

TESTIMONY AND LECTURES

Congressional Testimony

Senate Armed Forces Committee, *The 14 Myths of Guantánamo*, April 26, 2007.

Senate Judiciary Committee, *The Meaning of ‘Battlefield.’ An Analysis of the Government’s Representations of ‘Battlefield Capture’ and ‘Recidivism’ of the Guantánamo Detainees*, December, 10, 2007.

Senate Judiciary Committee, 2008.

House Foreign Relations Committee, *Guantánamo: The Cost of Replacing Legal Process with Politics Incompetence and Injustice and the Threat to National Security*, May 20, 2008.

House Armed Services Committee, 2007.

Expert Testimony

Retained as an expert in a variety of jurisdictions and testified as an expert on the limitations of questioning, document examiners including the defects in their methodology and the unreliability of their underlying opinions. Testified as an expert in the following jurisdictions:

Federal Courts

Third Circuit Court of Appeals

United States District Court, Boston, Massachusetts

United States District Court, Northern District of California (San Francisco Division)

United States District Court, Middle District of Florida (Orlando Division)

United States District Court, Northern District of Georgia (Atlanta Division)

United States District Court, Southern District of New York
United States District Court, Western District of New York
United States District Court, Eastern District of Pennsylvania (Eastern Division)
United States District Court, Western District of Pennsylvania
United States District Court, Colorado

State Courts

California
Florida
Louisiana
New Jersey
New York
South Carolina
Tennessee
Texas

LECTURES

Professional Lecturer, New Jersey Judicial College
Lecturer, New Jersey Institute of Continuing Legal Education
Trial Advocacy Skills Instructor, National Legal Services Corp.
Trial Advocacy Skills Instructor, New Jersey Trial Lawyers Association
Practicing Law Institute (PLI)
Fairfield University, Fall Lecture Series– "Legal Equality in a Society of Unequals" 1994
NACDL, Questioning Questioned Documents Examiners: Monterey, California, 1986
Problems of Expert Opinion Testimony, New Jersey Institute of Continuing Education, November 1995
American Academy of Forensic Sciences, Questioned Documents Section, Panel Discussion, Nashville, Tennessee, February, 1996
The University of Texas School of Law
University of Cincinnati College of Law
Roger Williams University School of Law
Suffolk University School of Law
Western State University College of Law
Yale Law School
Rutgers Law School
The University of Arizona James E. Rogers College of Law
Whitman College
Benjamin N. Cardozo School of Law

ADMINISTRATIVE PROCEEDINGS

New York City Police Department hearings

RABBINICAL COURT

Beth Din, Los Angeles, California