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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, Lawyer as Detective, Forensic Evidence, Civil Rights, 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), 137 U. OF PA. L. REV. (January 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).

WHITE PAPERS/PUBLICATIONS: CENTER FOR POLICY & RESEARCH

- ***Guantanamo: America's Battle Lab (1/9/15)*** (Co-Authors & Research Fellows: Jonathan Hafetz, Joshua Denbeaux, Erin Hendrix, Chelsea Perdue, Kelly Ross, Lauren Winchester & Joseph Hickman).
- ***Costs And Consequences Of Arming America's Law Enforcement With Combat Equipment (9/5/14)*** (Co-Authors & Research Fellows: Jeremy Dack, Dakota Gallivan, Lucas Morgan, Jared Stepp, Joshua Wirtshafter).
- ***Uncovering The Cover-Ups: Death At Camp Delta (5/15/14)*** (Co-Authors &

Research Fellows: Charles Richard Church, Ryan K. Gallagher, Adam Kirchner, Joshua Wirtshafter, Chrystal Loyer, Bahadir Ekiz, Kelly Ann Taddonio, Michael J. Ricciardelli).

- ***Spying on Attorneys at GTMO: Guantanamo Bay Military Commissions and the Destruction of the Attorney-Client Relationship***, (April 2013) (Co-Authors: Adam Kirchner, Josh Wirtshafter & Joseph Hickman) (Contributors & Research Fellows: Edward Dabek, Ryan Gallagher, Sean Kennedy, Kelly Ross, Tiffany M. Russo, Brian Spadora, Christopher Whitten) (Research Fellows: Kieran Dowling, Brittany Frazza, Alison Frimmel, James Froehlich, Joseph Fuirita, Paul Juzdan, Alexandra Kutner, Gregory James, Brad McConnell, Eric Miller, Emma Mintz, Chelsea Perdue, Kelly Poupore, Rachel Simon, Jason Stern, Kelly Ann Taddonio, Haoying Zhu).
- ***No Hearing Habeas: D.C. Circuit Restricts Meaningful Review***, (May 2012), with Jonathan Hafetz (Co-Authors: Sara Ben-David, Nicholas Stratton & Lauren Winchester) (Contributors & Research Fellows: Bahadir Ekiz, Christopher Fox, Erin Hendrix, Chrystal Loyer, Philip Taylor, Edward Dabek, Sean Kennedy, Edward Kerins, Eric Miller, Emma Mintz, Kelly Ross, Kelly Ann Taddonio, Richard Tracy) (Research Fellows: James Froehlich, Ryan Gallagher, Paul Juzdan, Adam Kirchner, Matt Miller, Lucas Morgan, Rachel Simon, Jason Stern, Kurt Watkins, Joshua Wirtshafter).
- ***National Security Deserves Better: “Odd” Recidivism Numbers Undermine the Guantanamo Policy Debate***, (March 2012) (Co-Authors: Bahadir Ekiz, Nicholas Stratton, Philip Taylor, Lauren Winchester, Edward Dabek, Sean Kennedy, Eric miller, Kelly Ross, Kelly Ann Taddonio) (Senior Fellows: Paul W. Taylor & Sean Camoni) (Contributors & Research Fellows: Sara Ben-David, Christopher Fox, Erin Hendrix, Chrystal Loyer, Edward Kerins, Emma Mintz, Richard Tracy) (Research Fellows: James Froehlich, Ryan Gallagher, Paul Juzdan, Matt Miller, Lucas Morgan, Jason Stern, Kurt Watkins, Joshua Wirtshafter).
- ***Lehman Brothers: A License to Fail with Other People’s Money***, (December 2011) (Co-Authors: Edward Dabek, John Gregorek, Sean Kennedy & Eric Miller) (Research Fellows: Katie Manzi, Katie Rigler & Kelly Ross).
- ***Drug Abuse: An Exploration of the Government’s Use of Mefloquine at Guantanamo***, (December 2011) (Co-Authors & Research Fellows: Sean Camoni, Brian Beroth, Meghan Chrisner, Chrystal Loyer, Kelli Stout and Paul Taylor) (Contributors & Research Fellows: Sara Ben-David, Alex Bregman, Bahadir Ekiz, Jesse Dresser, Christopher Fox, Becky Garibotto, Marisa Hourdajian, Marissa Litwin, Katie Nadbielny, Amy Siesminski, Nick Stratton, Philip Taylor, Lauren Winchester).
- ***The Guantanamo Diet: Actual Facts About Detainee Weight Changes***, (May 2011) (Co-Authors & Research Fellows: Paul Taylor and Sean Kennedy) (Contributors & Research Fellows: Sean Camoni, Kelly Ann Taddonio, Meghan Chrisner, Brian Beroth, Kelli Stout, Chrystal Loyer, Nick Stratton, Lauren Winchester, Philip Taylor).

- ***Rumsfeld Knew: DoD's "Worst of the Worst" and Recidivism Claims Refuted by Recently Declassified Memo***, (March 2011) (Co-Authors & Research Fellows: Sean Camoni, Paul Taylor and Philip Taylor) (Contributors & Research Fellows: Brian Beroth, Meghan Chrisner, Jesse Dresser, Amy Sieminski, Kelli Stout, Sara Ben-David, Alex Bregman, Bahadir Ekiz, Christopher Fox, Marissa Hourdajian, Chrystal Loyer, Nick Stratton, Lauren Winchester) (Senior Research Fellow: Adam Deutsch, and Research Assistants: Victoria Gonchar, Justin Grant, Sean Kennedy, Shane O'Connell, Kelly Ross, Kathryn Rigler, Kelly Ann Taddonio).
- ***The Untestable Drunk Driving Test***, (April 2010), with Nathan Kahl and Nicholas Snow (Co-Authors: Richard Eschle, Marissa Litwin, Keith Oliver & Robert DiPisa) (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 Sout, 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).
- ***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).
- ***Revisionist Recidivism: A New Analysis of the Government's Representations of Alleged "Recidivism" of the Guantanamo Detainees***, (June 2009) (Co-Authors & Research Fellows: Joshua Denbeaux, R. David Gratz, Sean Camoni, Adam Deutsch, Michael McDonough, Michael Patterson, Michelle Fish, Gabrielle Hughes, Paul Taylor, Brian Beroth, Scott Buerkle, Megan Chrisner, Jesse Dresser, Shannon Sterritt, Kelli Stout).
- ***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).
- ***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, Jillian Camarote, Douglas Eadie, Jennifer Ellick, Paul Taylor, Adam Deutsch, Michael Patterson, Gabrielle Hughes and Michelle Fish).
- ***Profile of Released Guantanamo Detainees: The Government's Story Then and Now*** (August 2008) (Joshua Denbeaux, R. David Gratz, Co-Authors & Research Fellows: Adam Deutsch, James Hlavenka, Gabrielle Hughes, Brianna Kostecka, Michael Patterson, Paul

Taylor, Anthony Tortore).

- ***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, Jillian Camarote, Douglas Eadie, and Paul Taylor).
- ***Captured On Tape: Interrogation and Videotaping of Detainees in Guantanamo***, (February 2008) (Joshua Denbeaux, R. David Gratz, Jennifer Ellick, Michael Ricciardelli, Matthew Darby).
- ***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, Jillian Camarote, Douglas Eadie, Jennifer Ellick, Daniel Lorenzo, Mark Muoio, Courtney Ray and Nebroisa Zlatanovic).
- ***The Empty Battlefield and the Thirteenth Criterion: An Analysis of the Data and Methodology in the Department of Defense's Response to Congressional Request for Justification of the Guantánamo Detentions*** (November 8, 2007) (Co-Authors: Mark P. Denbeaux & Joshua Denbeaux).
- ***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).
- ***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).
- ***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).
- ***Second Report on the Guantanamo Detainees: Inter- and Intra-Departmental Disagreements About Who Is Our Enemy*** (March 2006) (Joshua Denbeaux, David Gratz, John Gregorek, Matthew Darby, Shana Edwards, Shane Hartman, Daniel Mann and Helen Skinner).
- ***Report on Guantanamo Detainees: A Profile of 517 Detainees through Analysis of Department of Defense Data*** (February 2006) (Joshua Denbeaux, David Gratz, John Gregorek, Matthew Darby, Shana Edwards, Shane Hartman, Daniel Mann and Helen Skinner).

CONFERENCES, PRESENTATIONS AND PUBLICATIONS

- **DEMOCRACY NOW**, Interview with Mark Denbeaux by Amy Goodman & Juan Gonzalez (a daily independent global news hour) discussing *Did Gitmo "Suicides" Cover Up Murder? U.S. Sgt. Speaks Out on Deaths & Prison's Secret CIA Site* with Joseph Hickman. (1/15/15) http://www.democracynow.org/2015/1/15/did_gitmo_suicides_cover_up_murder
- **LEGAL TALK NOW**, *The Senate Committee Study of the CIA's Detention and Interrogation Program*, podcast with host Bob Ambrogi, interviewing Guantánamo Bay (GTMO) attorney Professor Mark Denbeaux, Project 21 Chair Horace Cooper, and Cato Institute Policy Analyst Patrick Eddington. (1/9/15). <http://legaltalknetwork.com/podcasts/lawyer-2-lawyer/2015/01/senate-committee-study-cias-detention-interrogation-program/>
- **NJ.COM**, *The Selma March and the Fascinating Story Behind An Iconic Photo*, Interview of Mark Denbeaux with Mark Di Ionna, (3/4/15). http://www.nj.com/news/index.ssf/2015/03/seton_hall_law_professor_recalls_selma_di_ionno.html and <http://blackchristiannews.com/2015/03/seton-hall-law-school-professor-mark-denbeaux-recalls-selma-experience/>
- **FIREDOGLAKE**, *NCIS Hid Medical Evidence About Guantanamo Suicides*, interviewed by Jane Hamshire (6/3/14). <http://firedoglake.com/2014/06/03/new-report-ncis-hid-medical-evidence-about-guantanamo-suicides/>
- **HARVARD LAW SCHOOL ACLU**, Panelist, *Don't Forget Guantanamo: The Legacy of the "War on Terror", Torture, and Indefinite Detention* (04/14). <http://harvardcrcl.org/dont-forget-guantanamo-the-legacy-of-the-war-on-terror-torture-and-indefinite-detention/>
- **NEWSWEEK**, interviewed and quoted in the "*CIA Torture Report's Abu Zubaydah Surprised the Truth Came Out*" article (12/16/14). <http://www.newsweek.com/visit-abu-zubaydah-poster-boy-cia-torture-292075>

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 Guantanamo*, April 26, 2007.
- Senate Judiciary Committee, *The Meaning of 'Battlefield:' An Analysis of the Government's Representations of 'Battlefield Capture' and 'Recidivism' of the Guantanamo Detainees*, December, 10, 2007.
- Senate Judiciary Committee on C-Span, *The Empty Battlefield and the Thirteenth Criterion* (April 26, 2007).
- Senate Judiciary Committee, 2008.
- House Foreign Relations Committee, *Guantanamo: 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**
- **Harvard Law School, ACLU Guantanamo Bay Speaker Series, 2014.**

ADMINISTRATIVE PROCEEDINGS

New York City Police Department hearings

RABBINICAL COURT

Beth Din, Los Angeles, California