

MARK A. GODSEY
College of Law
University of Cincinnati
P.O. Box 210040
Cincinnati, Ohio 45221-0040
513.556.0107
markgodsey@gmail.com

TEACHING EXPERIENCE:

**2003-
Present**

Professor of Law, University of Cincinnati College of Law
Cincinnati, Ohio.

Teach Criminal Procedure, Criminal Law, Evidence, Wrongful Convictions: Causes and Remedies, and Ohio Innocence Project. Faculty committees include Dean Search Committee, Faculty Appointments, Non-Tenure Track Faculty Committee (Chair), Student Petitions and Honor Council.

**Recipient: 2004 Goldman Prize for Teaching
Excellence**

Director, Ohio Innocence Project

Supervise student Fellows as they investigate the cases of Ohio inmates serving significant prison sentences who claim that they are factually innocent. Represent inmate-clients in court when cases reach the litigation stage. Significant cases include *Ohio v. Clarence Elkins*, *Ohio v. Chris Bennett*, *Ohio v. Roger Dean Gillispie* and *Ohio v. Raymond Towler*. To date, OIP has freed 10 inmates on grounds of innocence, and has helped enact in Ohio the nation's most comprehensive Innocence Protection Act.

2001-03

Assistant Professor of Law, Chase College of Law, Northern Kentucky University, Highland Heights, Kentucky.

Taught Criminal Law, Criminal Procedure, Criminal Procedure II, Federal Criminal Law and Trial Advocacy. Faculty Supervisor of Kentucky Innocence Project.

**Recipient: 2003 Lukowsky Award for Teaching
Excellence** (by vote of graduating class).

PRACTICE EXPERIENCE:

- Present** **Director, Ohio Innocence Project, UC College of Law**
See above.
- CJA Panel Attorney, United States Court of Appeals for the Sixth Circuit.**
Represent indigent criminal defendants on appeal before the Sixth Circuit.
- 1996 -2001** **Assistant United States Attorney for the Southern District of New York, U.S. Department of Justice, Manhattan (1996-99) and White Plains, NY (1999-2001).**
Prosecuted federal crimes, from grand jury investigation stage through jury trials or guilty pleas and then sentencing. Argued numerous criminal appeals before the U.S. Court of Appeals for the Second Circuit. Cases involved, among other things, organized crime, major white-collar fraud schemes, narcotics and corrupt public officials. Received numerous commendations for outstanding performance, including the Director's Award for Superior Performance presented by then-Attorney General Janet Reno, and a major FBI award from then-FBI director Louis Freeh.
- 1994-96** **Associate, Jones, Day, Reavis & Pogue, Chicago (1994-95) and New York (1995-96).**
Engaged in civil litigation and white-collar criminal defense practice for 20-office international law firm. Performed significant amount of *pro bono* work for the Federal Public Defender's Office, which represents indigent defendants charged with federal crimes.
- 1993 Term** **Judicial Law Clerk, The Hon. Monroe G. McKay, Chief Judge, U.S. Court of Appeals for the Tenth Circuit, Salt Lake City, Utah.**
Drafted opinions, wrote bench memos, attended oral arguments, and assisted judge in all aspects of judicial and administrative duties.

PUBLICATIONS:

Recent Articles:

Reformulating the Miranda Warnings in Light of Contemporary Law and Understandings, 90 MINNESOTA L. REV. 781 (2006) (lead article).

Rethinking the Involuntary Confession Rule: Toward a Workable Test for Identifying Compelled Self-Incrimination, 93 CALIFORNIA LAW REVIEW 465 (2005).

The Final Frontier of Constitutional Confession Law—The International Arena: Exploring the Admissibility of Confessions Taken by U.S. Investigators from Non-Americans Abroad, 91 GEORGETOWN LAW JOURNAL 851 (2003).

Miranda’s Final Frontier—The International Arena: A Critical Analysis of U.S. v. Bin Laden, and a Proposal for a New Miranda Exception Abroad, 51 DUKE L.J. 1703 (2002) (lead article).

Symposium Articles:

Shining the Bright Light on Police Interrogation in America, 6 OHIO ST. J. CRIM. L. 711 (2009) (reviewing Richard Leo, POLICE INTERROGATION AND AMERICAN JUSTICE (2008)).

Reliability Lost, False Confessions Discovered, 10 CHAPMAN L. REV. 623 (2007).

Going Home To Stay: A Review of Collateral Consequences of Conviction, Post-Incarceration Employment, and Recidivism in Ohio, 36 U. TOL. L. REV. 525 (2005) (co-authored with Marlaina Freisthler).

The Innocence Revolution and Our “Evolving Standards of Decency” in Death Penalty Jurisprudence, 29 U. DAYTON L. REV. 265 (2004) (co-authored with Thomas Pulley).

Other Articles:

When Terry Met Miranda: Two Constitutional Doctrines Collide, 63 FORDHAM L. REV. 715 (1994) (written while in private practice).

Educational Inequalities, The Myth of Meritocracy, and the Silencing of Minority Voices: The Need for Diversity on America’s Law Reviews, 12 HARVARD BLACKLETTER LAW JOURNAL 59 (1995) (written in 1992 for a law school seminar entitled Racism and the Law).

Privacy and the Growing Plight of the Homeless: Reconsidering the Values Underlying the Fourth Amendment, 53 OHIO ST.L.J. 869 (1992) (student note for law review).

SCHOLARLY PRESENTATIONS:

See listing under the “News” tab at: <http://www.law.uc.edu/faculty-staff/faculty/mark-godsey>

LEGAL EDUCATION:

The Ohio State University Moritz College of Law, J.D. *summa cum laude*, 1993.

- Graduated 2nd in class of 202 students
- Elected to Order of the Coif
- Served as Senior Articles Editor for the *Ohio State Law Journal*
- Served as board member of the Public Interest Law Association, which raises money for students to work summer internships in the public interest.

Alumni Awards:

- **2004 Outstanding Recent Alumnus Award** (one award given each year to alumnus, based on outstanding professional achievement, who graduated from Moritz Law in prior decade).

Law School Awards:

- The Law Alumni Recognition Award (graduating student exhibiting leadership, service and academic excellence)
- The American Jurisprudence Award (highest grade “book” award) for Torts, Contracts, Criminal Law, Criminal Procedure and Professional Responsibility.
- The Topper Memorial Award (for ranking first in class after first year of law school)
- The Donald B. Becker Award (for ranking first in class after second year of law school)
- The Simeral Bunch Award (first-year grades)
- The John E. Hallen Memorial Award (first-year grades)
- The Albert A. Levin Award (for performance in professional responsibility)

UNDERGRADUATE EDUCATION:

Northwestern University, B.S., Communication Studies/Political Science, Evanston, IL, 1990. Deans List.

LEGISLATIVE TESTIMONY:

See listing under the “News” tab at: <http://www.law.uc.edu/faculty-staff/faculty/mark-godsey>

MEDIA APPEARANCES:

See listing under the “News” tab at: <http://www.law.uc.edu/faculty-staff/faculty/mark-godsey>