

CHRISTO LASSITER

Professor of Law

University of Cincinnati College of Law

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EDUCATION: **University of Michigan Law School, J.D. 1983**

University of Michigan, Rackham Graduate School, M.A. Economics
1982. Including one year of study at London School of Economics and
Political Science

Horace H. Rackham Fellow

University of Chicago, The Undergraduate College, B.A. Economics
1978 (General Honors)

Abraham L. Harris Outstanding Achievement Award 1977

(Inaugural recipient); repeat 1978

Dean's List 1975-76; 1977-78

Varsity Football and Track

LEGAL **Professor of Law**

EMPLOYMENT: **University of Cincinnati College of Law (1991-)**

Of Counsel to Frost and Jacobs (1995-1997)

Judge Advocate

United States Marine Corps (1983-1991)

Deputy Staff Judge Advocate, 4th Marine Aircraft
Wing, New Orleans, Louisiana (1989-1991)

Command legal advice for 14,000 personnel located at 30 Reserve
sites across the country including oversight for reserve deployment
of the Marine Corps Air Wing

Assistant Head, Legal Assistance, Headquarters, U.S.
Marine Corps, Washington, D.C. (1987-1989)

Legal Aid for 3,000 clients; Legal Advisor to the Commandant for
Marine Corps legal assistance program. Editor, Current
Developments 1989 (military family law)

Appellate Prosecution. Navy-Marine Corps Appellate
Review Activity, Washington, D.C. (1986-1987)

15 oral arguments; 15 published cases Appointed to Trial Counsel Assistance Program. Editor, Viewpoint 1986-1987 (military criminal law). Argued *United States v. Harper*, 22 M.J. 157 (C.M.A. 1986)(first modern case in Anglo-American law to sustain a conviction for wrongful drug use based on urinalysis testing) and *United States v. Scott*, 24 M.J. 186 (C.M.A. 1987)(high profile interracial rape and attempted murder case on the issue of ineffective assistance of counsel)

**Trial Prosecution and Legal Advisor. 3rd Force
Service Support Group, Okinawa, Japan (1984-1985)**

Trial and administrative hearings experience; Also provided command instruction on the law of war issues

**BAR
MEMBERSHIPS**

Ohio (1997)
Louisiana (Civil Code Jurisdiction) (1990)
Washington, D.C. (1985)
Hawaii (1983)

**PROFESSIONAL
AFFILIATION**

U.S. Supreme Court 1987
U.S. Court of Military Appeals 1985
Federal Bar Association 1990
American Bar Association 1983: Young Lawyers' Division, District Representative 1988-89
Cincinnati Round Table 1991

TEACHING

Courses

Current: Criminal Law, Criminal Procedure I & II, White Collar Crime, and Antitrust.

Past: Law & Psychiatry, Introduction to Law, Law and Economics and Military Law

Supervised Writing (published or presented = +; national contest winners =*)

- * Nancy Meyers, *"Naked Restraints of Trade,"* 1995
- * Richard W. Purcell, *Hard Cases Make Bad Law But President Clinton's Response to a Bad Situation Just Might Make it Worse For All of Us: Why Clinton's Unconstitutional Response to Pratt v. Chicago Housing Authority Just Might Spell the Return of George III* (Fall 1994). First Prize winner in the NATIONAL BLACK LAW JOURNAL's 1993-94 Annual Writing Competition. First prize carried a \$500 award and publication in the National Black Law Journal.
- * Chrystal D. Henderson, *Warrantless Searches and What the Constitution Says About Them* (Fall 1994). Second Prize winner in The National Black Law Journal's 1993-94 Annual Writing Competition. This article will be published in the NATIONAL BLACK LAW JOURNAL.
- * Andrew M. Ferris and Griffin T. Seiler, *Health Care Reform--A Free Market Proposal* 7 LOYOLA CONSUMER LAW REPORTER (Fall 1995) 45. First Prize winner in the Judge Edwin A. Robson \$10,000 Essay Competition on Examining the Antitrust Impact of Healthcare Reform sponsored by the Loyola University Chicago School of Law Institute for Consumer Antitrust Studies.
- * Ross D. Fuerman, *Auditors and the Client Fault Defense in Comparative Negligence Jurisdictions*. Presented at the 1993 Ohio Regional Meeting of the American Accounting Association held in Miamisburg, Ohio on May 7-8, 1993.
- * Ross D. Fuerman, *A Qualitative Analysis Establishing the Seminality of the National Surety Doctrine: The 1987 Texas Tort Reform and the Auditor's Use of the Comparative Fault Defense*. Presented at Department of Accounting & Business Law College of Business Administration Seminar on March 23, 1994.
- * George F. Hoffman, *Tradition vs. Modernity: The Controversy Over Civilizing Military Justice During World War I* (Winter 1992 presented at the 1994 Meeting of the Society for Military History) submitted for publication; Dr. Hoffman is a lecturer in the History Department at the University of Cincinnati).

- * Reviewed two drafts of George F. Hoffman, *COLD WAR V. CASUALTY: THE COURT-MARTIAL OF MAJOR GENERAL ROBERT W. GROW* (1993).
- * Lawrence F. Young, "*Prosecuting Computer Crime in the Military*," Dr. Young has a Ph.D and teaches at the University of Cincinnati's Business School. Published in the *COMPUTER LAW JOURNAL*.

Awards

Award for Innovative Excellence in Teaching, Learning and Technology. 1998
The Ninth International Conference on College Teaching and Learning:
Florida Community College at Jacksonville, Florida, The Center for the
Advancement of Teaching and Learning. (50 winners from participating
universities representing all 50 states and 20 foreign countries).

The Goldman Prize 1993.

Co-winner. The Goldman Prize recognizes excellence in law teaching.
Each year a panel of four students and the Dean select an outstanding
teacher at the College based on contribution to legal education,
accomplishments in research and public service which contribute to
excellence in the classroom.

Grants

Mead Data Central: Received grants to sponsor student research in the use of
LEXIS/NEXIS: 1992-1995.

Works in progress:

CALI Fellow in Criminal Law 1999-2000

National team of five law professors dedicated to producing a
comprehensive course on criminal law for computer assisted learning
instruction.

CRIMINAL LAW AND LITERATURE--LECTURE, PROBLEM, AND SOCRATIC METHODS
USING COMPUTER TECHNOLOGY.¹

CHECKS ON POLICE INVESTIGATION OF SUSPECTED CRIMINAL ACTIVITY: A
FOURTH AMENDMENT ISSUE OUTLINE.

Presentations/Conferences.

¹My work using TWEN is featured in TWEN's *How Professors Are Using TWEN*.. See
www.twen.com/about; (hard copy attached).

Does Flight From Police Constitute Reasonable Suspicion. BLSA panel discussion at University of Cincinnati College of Law (Feb. 22, 2000).

Criminal Law and Literature: Lecture, Problem, and Socratic Methods and the Virtual Classroom. Presented before the Faculty at University of Cincinnati College of Law (Mar. 13, 2000).

Searches and Seizures--Update on the U.S. Supreme Court and Supreme Court of Ohio. To be presented at Hamilton County Criminal Justice Center on May 17, 2000.

Criminal Law and Literature: Lecture, Problem, and Socratic Methods and the Virtual Classroom. Institute for Law Teaching. Sixth Annual Summer Conference: Fresh Looks at Teaching and Learning Law hosted by Gonzaga University School of Law in Spokane (Jun 11-12, 1999).

CALI. Ninth Annual Conference for Law School Computing hosted by University of Oregon Law School at Eugene, Oregon, (Jun 17-19, 1999); Fifth Conference hosted by University of Chicago-Kent at Chicago Jun 7-10, 1995).

The Center for the Advancement of Teaching and Learning. Ninth National Conference on College Teaching and Learning hosted by Florida Community College at Jacksonville (Apr 15-18, 1998); Eighth Conference (Apr 17-20, 1997).

AALS. Criminal Law and Criminal Procedure Workshop. Washington, D.C. (Oct 28-30, 1993). Minority Law Teachers Workshop: Teachers and Scholars of Color: Creative Response to Crisis. Georgetown University Conference Center, Washington, D.C. (Oct 8-10, 1992).

University of Michigan School of Law. *Academic Careers* at Ann Arbor (Mar. 26, 1997); *Law Practice in the 1990's--The Teaching Profession* (Sep. 26, 1992).

Professional Bar

Federal Public and Community Defenders Training Program: Faculty. *Strategies for Success in Federal Criminal Defense Practice: Supreme Court Update 1998-1999:* Savannah (Jun 2-6, 1999), Portland, ME (Aug 11-15, 1999), and Kansas City (Oct 7, 1999). *1997-98 Update:* Dallas, (Jun 18-20, 1998); Portland, ME, Aug 27-29, 1998); Kansas City (Oct 8, 1998); and San Francisco (Oct. 14-17, 1998). *1996-97 Update:* San Diego (Jun 12-14, 1997), Philadelphia (Aug 20-22, 1997) and New Orleans (Nov 16-18, 1997), and Cincinnati (Dec 2, 1997). *1995-1996 Update* in Milwaukee (Aug 1-3, 1996), Salt Lake City (Sep. 18-21, 1996) and Orlando (Nov. 7-9, 1996). *1994-95 Update:* Atlanta (Jun 1-3, 1995), Chicago (Jul. 6-8, 1995) and San Francisco (Aug. 3-5, 1995). *1993-94 Update:* Dayton (Aug. 25-27, 1994) and Phoenix (Oct. 19-21, 1994).

CLE Publications:

1998-1999 Supreme Court Update on Criminal Law and Procedure in STRATEGIES FOR SUCCESS IN FEDERAL CRIMINAL DEFENSE PRACTICE 1 (Administrative Office of the U.S. Cts. 1999) (published annually since 1994).

Developments in Criminal Procedures in MUNICIPAL CRIMINAL LAW INSTITUTE 16 (Ohio Municipal Attorney's Association 1995)

Kurth Ranch and DUI in Municipal Criminal Law Institute 1 (Ohio Municipal Attorney's Association 1995)

Search and Seizure in Municipal Criminal Law Institute 1 (Ohio Municipal Attorney's Association 1994)

Ohio CLE Institute: Faculty. Cross-examination, Columbus (Aug 22-23, 1996). Deposition Skills Training Columbus (Oct 9, 1996). Deposition Skills Training, Columbus (Jul 28, 1995).

Ohio Municipal Attorney's Association Municipal Law Institute: *Search and Seizure*, Cincinnati (Oct 13, 1995); *New Developments in Criminal Procedure*, Columbus (Jul 28, 1995); *Search and Seizure*, Cincinnati (Oct 14, 1994).

Ohio Association of Criminal Defense Lawyers: Panel Discussion on challenging DUI forensic evidence after *French*.

The Greater Cincinnati Criminal Defense Lawyers Association: *Plain View: Store Detective Searches*. Continuing Legal Education Seminar at Covington, Kentucky (Dec 4, 1992).

Ohio Summer Institute (talented high school students): Faculty 1992; 1995.

SCHOLARSHIP

Editor-in-Chief

THE FREEDOM CENTER JOURNAL OF LAW AND HISTORY. This new journal will support the intellectual efforts of the Underground Railroad Museum Complex to be built in Cincinnati.

Academic Journals

Articles

Eliminating Consent from the Lexicon of Traffic Stop Interrogations, 27 CAP. U. L. REV. 79 (1998)

Cameras and the Infusion of Political Bias Into the Courtroom, 5 INTERNATIONAL JOURNAL OF LAW AND TECHNOLOGY 28 (1997)(Oxford University Press).

The New Race Cases And The Politics of Public Policy, 12 THE JOURNAL OF LAW AND POLITICS, (University of Virginia) 411 (Summer 1996)

TV or Not TV--That is the Question?, 86 JOURNAL OF CRIMINAL LAW AND CRIMINOLOGY 928 (Spring 1996) (Northwestern University Law School) (Symposium--The Appearance of Justice: Judges, Juries and the Media). Accompanying the article is *TV or Not TV--Statutory Appendix* at 1002 (proposing a model statute governing camera access and providing for limited coverage of hearings, trials and appellate arguments). The appendix includes *An Annotated Descriptive Summary of State Statutes, Judicial Codes, Canons, and Court Rules Relating to Admissibility and Governance of Cameras in the Courtroom* at 1019.

The O.J. Simpson Verdict: A Lesson in Black and White, 1 MICHIGAN JOURNAL OF RACE AND LAW, 69 (Winter 1996). Selected for reprinting in "BROKEN TRUST:" THE O.J. SIMPSON TRIAL, POPULAR CULTURE, AND AMERICAN JUSTICE (New York University Press; forthcoming in ?).

The Stop and Frisk of Criminal Street Gang Members, 14(1) NATIONAL BLACK LAW JOURNAL 1 (University of California at Los Angeles Law School)(1995)(lead article).

Essays

A Call to the Arts: Exploring New Means of Jurisprudential Expression, 14

Works in progress

The Meaning of Consent: Psychiatric and Philosophical Examination. Written in conjunction with Advanced Problems in Law and Psychiatry Seminar

Professional Publications

Cyberspace: The Final Frontier For First Amendment Freedoms, Vol. 2(4) FIRST AMENDMENT & MEDIA LITIGATION, Summer 1996 at 1. Reprinted in Vol. 32(5) TENNESSEE BAR JOURNAL, Sep/Oct 1996 at 30.

Put the Lens Cap Back on Cameras in the Court Room: A Fair Trial is at Stake, LAW AND JUSTICE (January 1995); re-printed in NEW YORK STATE BAR JOURNAL (Cover article at annual convention January 1995);³ reprinted at 38 TRIAL LAW GUIDE 383 (1995); reprinted with revisions in *Cameras in the Courtroom?*, TRIAL March 1995 at 68. Reprinted in 1998

Military (21 items)

Marine Corps Gazette (A commercial publication of the Marine Corps Association, which provides a forum for the expression of matters that will advance knowledge, interest, and *esprit de corps* in the Marine Corps): *Marines 1, IRS 0: Deductibility of Change-of-Command Ceremony Expenses* Marine Corps Gazette, Vol. 72, No. 4, April 1988 at 68

Viewpoint (A noncommercial periodic newsletter published by the Navy Appellate Judiciary, Government Division, Washington, D.C. to update military lawyers in matters of military criminal law and procedure): *Pleading Sexual Harassment*, Apr. 1987 at 19; *Burton Lives!*, Apr. 1987 at 30; *Changes in the Law of Mental Responsibility--R.C.M. 405(c) and Accused's Right to Counsel*, Apr. 1987 at 40; *The Entrapment Defense in Military Practice*, Apr. 1987 at 42; *Urinalysis Update-Prima Facie Case*, Apr. 1987 at 47; *Abusing the Motion to Strike to Avoid Rebuttal Evidence*, Dec. 1986 at 8; *Case management for speedy*

²This article is discussed in Gerald F. Hess and Steve Friedland, *TECHNIQUES FOR TEACHING LAW*, (1998 Carolina Press), Rocco Cammarere, *Final Paper!*, NEW JERSEY LAWYER, Sep. 30, 1996 at 1; Patti Jones, *This Law Student Masters the Fine Art of Avoiding Exams*, THE NATIONAL LAW JOURNAL, Jul. 22, 1996 at A23; Gina Ruffian Moore, *Law, Art Intersect in Unusual Antitrust Work*, UNIVERSITY CURRENTS, Vol. 5, Issue 27, May 3, 1996 at 5.

³Cited in NATIONAL LAW JOURNAL, Feb. 24, 1995 at 5; Roger Cossack, *What You see is Not Always What You Get: Thoughts on the O.J. Simpson Trial and the Camera*, 14 J. Marshall J. Computer & Information Law 555 (Spring 1996).

trial purposes, United States v. Cherok, 22 M.J. 438 (C.M.A. 1986), Dec. 1986 at 10; *Viewpoint Index*, Dec. 1986 at appendix; *Prosecuting Wrongful Marijuana Use on the Basis of Urinalysis*, Oct. 1986 at appendix; *R.C.M. 707 Speedy Trial Update*, Jun. 1986 at appendix 1; *Drug Prosecution in Light of Harper*, with Captain Carl H. Horst, JAGC, USN, Jun. 1986 at 2; *Caveat: Suspending Expired Confinement: It Cannot Be Done*, Dec. 1985 at 1

Res Ipsa Loquitur (A noncommercial quarterly published to which provide information regarding legal issues of interest to Marine Corps lawyers): *Child Support Enforcement Against Military Personnel*, No. 4-88 Sep. 1988 at 17; *The Mysterious Case of the Credit Collection Manager that Barked All Night . . . But Didn't Bite*, No. 1-88 Feb. 1988 at 26; *Medicaid and Estate Planning for the Elderly Military Dependent*, No. 1-88 Feb. 1988 at 30; *Individual Tort Liability of Government Officials on the Job*, No. 1-88 Feb. 1988 at 35; *Time Is Of The Essence, (Nonperformance at Settlement)*, No. 6-87 Dec. 1987 at 26; *Thy Brother's Keeper: The Dram Act of Washington, D.C.*, No. 6-87 Dec. 1987 at 27; *A Typical Legal Assistance Case*, No. 5-87 Sep. 1987 at 22; *Attorney-Client Privilege Survives Reassignment*, No. 4-87 Jul. 1987 at 13

Accepted for publication

Articles in circulation

Books in circulation

TV OR NOT TV--THAT IS THE QUESTION? (349 manuscript pages)

Book chapter

The O.J. Simpson Verdict: A Lesson in Black and White, 1 MICHIGAN JOURNAL OF RACE AND LAW, 69 (Winter 1996). Selected for reprinting in "BROKEN TRUST:" THE O.J. SIMPSON TRIAL, POPULAR CULTURE, AND AMERICAN JUSTICE (New York University Press; forthcoming).

Works in progress

The Meaning of Consent: Psychiatric and Philosophical Examination. Written in conjunction with Advanced Problems in Law and Psychiatry Seminar

Prosecuting Wrongful Marijuana Use on the Basis of Urinalysis: A Demand Side Approach to Winning the Drug War

Presentations/Conferences

Academic

The University of Cincinnati College of Law. *The Death Penalty in the United States: Historically and Today* presented at The Death Penalty on Trial: Legal and Social Perspectives on Capital Punishment (Feb. 22, 1997). *Moderator for Sports Law Symposium: Drug Testing of Athletes* (Apr 9, 1992).

The Review of Litigation's Symposium on Mass Media's Impact on Litigation, Lawyers and Judges. University of Texas at Austin (Feb 24, 1995).

Twenty-Third Economics Institute conducted by the George Mason University School of Law at Dartmouth College, Hanover (Jul. 12-25, 1992).

Professional Organizations

A Lawyer's Creed, Cincinnati Academy of Leadership for Lawyers, Mayerson Academy, Cincinnati (Apr 15, 1997).

ABA Criminal Antitrust Law and Procedure Workshop. Dallas (Feb 23-24, 1995).

The Public's Right to Know--The Impact of the Media on a Criminal Case: Should Cameras be Allowed in the Courtroom? National Association of Legal Secretaries, 1994 Mid-West Regional Seminar in Cincinnati (Sep 17, 1994).

SERVICE

Public and Professional Service

State

Ohio State Bar Association: Facilitator since 1995. Bench-Bar Conference for Management of Disputes. Columbus (Mar 17-19, 1999).

Local

Cincinnati Bar Association

Law Day Committee (1993-). Scriptwriter for two hour televised discussion on constitutional issues of interest to high school students: *United States Constitution - The Original American Dream* (1996); *E Pluribus Unum* (1995); *Just Solutions--It May be Legal, But is it Right* (1994); Guest hosted one hour live television show as emergency substitute for Jerry Springer; *Justice Not!* (1993).

Cincinnati Bar Association/Black Lawyers Association Roundtable: (1991-Recorder (1992-1993).

Bench Bar Conference: Facilitator. Fourth Bench-Bar Conference at Cincinnati, Ohio (Feb. 25, 1994). Racial Diversity; Criminal Law. Second Bench-Bar Conference at Kings Island Conference Center, Ohio (Feb 14, 1992). Criminal Law.

Cincinnati Rotary Club: Mock trial presentation at 40th Annual Student Seminar on County Government at Cincinnati ((Feb 27, 1998); 37th Annual Seminar (Feb 22, 1997); 36th Annual Seminar (Feb 13, 1996).

Board Memberships

Civic Forum: Board member (1995-); YMCA of Cincinnati: Board of Trustees (1994-); Housing Opportunities Made Equal: Board of Trustees (1992-3).

Public Education

Guest Columns. (6 op-ed pieces): WASHINGTON TIMES, THE CINCINNATI ENQUIRER, THE CINCINNATI POST

Print interviews: (115 interviews) Newspapers: BUSINESS RECORD (Des Moines), THE CINCINNATI ENQUIRER, CHICAGO TRIBUNE, THE CHRISTIAN SCIENCE MONITOR, THE CINCINNATI POST, COLUMBUS DISPATCH, THE CLEVELAND PLAIN

DEALER, THE COURIER-JOURNAL (Louisville), DAYTON DAILY NEWS, THE HARTFORD COURANT, NEW YORK TIMES, ORLANDO SENTINIAL TRIBUNE, THE PHILADELPHIA INQUIRER, SAN ANTONIO EXPRESS-NEWS, THE SEATTLE TIMES; Magazines THE ECONOMIST, NATIONAL LAW JOURNAL, NATIONAL JURIST, NEW YORK LAW JOURNAL, WOMAN S WORLD

Radio: (6 appearances; two national)

Television: (9 appearances; including *Can High Profile Cases Be Tried Fairly: Town Meeting*. Court TV, Feb. 24, 1992--Panel Discussion).

Movies: Film Consultant for *The Affair*, a joint HBO-BBC production concerning a false allegation of interracial rape against a black American soldier in World War II. American airing on Oct 14, 1995.

College Service

Committees: Chair, Faculty Law Library Committee; Co-Chair Head Law Library Search Committee; Member, Faculty Admissions Committee; Academic Policy and Curriculum Committee 1996-7 ; Faculty Appointments Committee: 1992-95; Curriculum Committee: 1991-1992. Produced computer generated exam scheduling program; Birk/Sutton Staff Recognition Award Selection Committee: Elected member 1992, 1994 and 1996; League of Ohio Law Schools: Executive Committee Meeting at Capital University Law & Graduate Center (Sep. 28 1991): University of Cincinnati College of Law Representative.

Student organizations:

Moot Court: Faculty Advisor 1993-5. Record (22 competitions): **Team Awards** (Semi-finals: 11; Octofinals: 4; 70% recognition); **Overall**: First: 1, Second: 2, Third: 6, Fourth: 2, Fifth: 2, **Best Brief**: First: 6, Second: 3; **Individual Awards** (9; 41% recognition), **Best Oralist**: First: 4, Second: 2, Third: 3

Moot Court \$25,000 Fundraising Campaign. Launched in Fall of 1994; Law Mates: Mock Law School lecture series: *The Reasonable Suspect as Viewed by the Reasonable Juror*, The University of Cincinnati College of Law, Oct. 7, 1995; *The Importance of Supporting Your Mate During Law School*, The University of Cincinnati College of Law, Jan. 19, 1995. Law Mates is a social organization.

First Choice: Memorandum writing skills lecture: *Tips on The Legal Memorandum: Receiving the Assignment, Thinking it Through, Researching the Law, and Writing it Up*. The University of Cincinnati College of Law, May 24, 1994; Repeat on Jun 5, 1995. First Choice is a

student temporary legal services which began during Summer 1994.

Faculty Advisor: Black Law Students Association: 1992- ; Phi Alpha Delta 1996- ; Public Interest Law Association: 1993-94; Sports and Entertainment Law: 1991-1992.

Other college service: McMicken Fellow since 1991; Retirement Party for Professor Jorge Carro, Nov. 18, 1994; established a collection of federal and state court studies dealing with gender equity in the courts, and which is placed in the law library: 1993; Legal Research, Writing and Advocacy: Judge several moot courts each spring; Established an academic skills library available at the reserve desk: 1992; Board of Visitors Meeting: Faculty Presentations--at the University of Cincinnati College of Law (Sep. 27, 1996; Dec. 7 1991): Panelist; Career Options Program: University of Cincinnati College of Law (Oct. 31, 1991): Co-speaker.

University Service

University of Cincinnati All University Faculty Retreat, 1998: Something For Everybody. Oct. 22, 1998. *Faculty and the Media Panel* Discussion

Ohio Summer Institute (for talented high school students): Faculty member 1992 and 1995.