

DANIEL S. MEDWED

Northeastern University School of Law
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EDUCATION

HARVARD LAW SCHOOL

Cambridge, MA
J.D. awarded June 1995

YALE UNIVERSITY

New Haven, CT
B.A. in History awarded, *summa cum laude*, May 1991
Phi Beta Kappa Society
George L. Schrader Award for Excellence in the Humanities
American Jewish Congress Prize for Scholarship in Judaic Studies

ACADEMIC APPOINTMENTS

NORTHEASTERN UNIVERSITY SCHOOL OF LAW

Boston, MA
Professor of Law (July 2012-Present)
Teaching Criminal Law, Evidence, and Advanced Criminal
Procedure: Wrongful Convictions and Post-Conviction Remedies.

**UNIVERSITY OF UTAH, S.J. QUINNEY COLLEGE OF
LAW**

Salt Lake City, UT
Professor of Law (July 2009-June 2012)
Associate Professor of Law (July 2004-June 2009)
Taught Criminal Law, Evidence, Civil Rights Law, Appellate
Practice, and Wrongful Convictions Seminar.

BROOKLYN LAW SCHOOL

Brooklyn, NY
Instructor (August 2000-June 2004)
Adjunct Instructor (August 1999-May 2000)
Taught the Second Look Program, an in-house clinic that
investigated and litigated post-conviction claims of actual
innocence by state prisoners, as well as Civil Rights Law,
Appellate Advocacy, and Legal Writing.

OTHER WORK EXPERIENCE

THE LEGAL AID SOCIETY, CRIMINAL APPEALS BUREAU

New York, NY

Associate Appellate Counsel (June 1998-July 2000)

Drafted appellate briefs and presented oral arguments on behalf of indigent criminal defendants in New York state appellate courts.

SHEARMAN & STERLING

New York, NY

Associate (January 1998-June 1998)

GOODWIN, PROCTER & HOAR

Boston, MA

Associate (September 1995-January 1998)

Summer Associate (1994)

TOMOTSUNE, KIMURA & MITOMI

Tokyo, Japan

Summer Associate (1993)

JAPAN EXCHANGE AND TEACHING (JET) PROGRAM

Kitakyushu, Japan

Assistant English Teacher (1991-92)

PROFESSIONAL AWARDS

University of Utah Student Bar Association Distinguished Faculty Award, March 2012

Awarded teaching prize from student government organization at the University of Utah law school.

Faculty Research Fellowship, Spring Semester 2012

Received University of Utah fellowship to pursue wrongful convictions research.

Virgil Aldrich Fellowship in the Humanities, Fall Semester 2010

Received research fellowship from the Tanner Humanities Center at the University of Utah to work on book project related to prosecutors and the conviction of the innocent.

Peter W. Billings Excellence in Teaching Award, May 2010

Received University of Utah law school's annual teaching prize.

Utah Association of Criminal Defense Lawyers Distinguished Service Award, September 2009

Awarded for efforts "in ensuring justice and due process."

College of Law Early Career Faculty Award, May 2009

Received prize for excellence in scholarship, teaching, and service by a junior member of the law faculty at the University of Utah.

University of Utah Early Career Teaching Award, February 2008

University-wide teaching prize awarded to junior faculty members based on nominations from college dean and assessment of teaching portfolio by the University Teaching Committee.

Associated Students of the University of Utah Student Choice Teaching Prize, April 2006

University-wide teaching prize awarded based on nominations from the student body and reviewed by chief student organization at the university.

Bill Kochiyama People's Award, June 2005

Received for work from 2001-04 on post-conviction litigation resulting in the exoneration of David Wong for murder in New York State.

Professor of the Year, Brooklyn Law School, April 2004

Determined by vote of graduating class of students.

Professor of the Year, Brooklyn Law School, April 2003

Determined by vote of graduating class of students.

PUBLICATIONS

Books

Prosecution Complex: America's Race to Convict and Its Impact on the Innocent (New York University Press, 2012)

Law Review Articles

Closing the Door on Misconduct: Rethinking the Ethical Standards that Govern Summations in Criminal Trials, 38 HASTINGS CONSTITUTIONAL LAW QUARTERLY 915 (2011) (symposium on criminal justice ethical standards)

Brady's Bunch of Flaws, 67 WASHINGTON & LEE LAW REVIEW 1533 (2010) (symposium on comparative criminal law)

Emotionally Charged: The Prosecutorial Charging Decision and the Innocence Revolution, 31 CARDOZO LAW REVIEW 2187 (2010) (symposium on prosecutorial disclosure obligations)

The Prosecutor as Minister of Justice: Preaching to the Unconverted from the Post-Conviction Pulpit, 84 WASHINGTON LAW REVIEW 35 (2009) (symposium on prosecutorial ethics)

Innocentrism, 2008 UNIVERSITY OF ILLINOIS LAW REVIEW 1549 (2008)

The Innocent Prisoner's Dilemma: Consequences of Failing to Admit Guilt at Parole Hearings, 93 IOWA LAW REVIEW 491 (2008)

California Dreaming? The Golden State's Restless Approach to Newly Discovered Evidence of Innocence, 40 U.C. DAVIS LAW REVIEW 1437 (2007)

Anatomy of a Wrongful Conviction: Theoretical Implications and Practical Solutions, 51 VILLANOVA LAW REVIEW 337 (2006)

Up the River without a Procedure: Innocent Prisoners and Newly Discovered Non-DNA Evidence in State Courts, 47 ARIZONA LAW REVIEW 655 (2005)

The Zeal Deal: Prosecutorial Resistance to Post-Conviction Claims of Innocence, 84 BOSTON UNIVERSITY LAW REVIEW 125 (2004)

Actual Innocents: Considerations in Selecting Cases for a New Innocence Project, 81 NEBRASKA LAW REVIEW 1097 (2003)

Law Review Essays

Counting Innocence, CRIMINAL JUSTICE ETHICS (forthcoming, 2012) (book review of Brandon Garrett, *Convicting the Innocent: Where Criminal Prosecutions Go Wrong* (2011))

Prosecutorial Ethics in the Postconviction Setting from A to Zacharias, 48 SAN DIEGO LAW REVIEW 331 (2011) (tribute to the late Fred Zacharias)

The Goldsmith Standard, 2010 BYU LAW REVIEW 345 (2010) (tribute to the late Michael Goldsmith)

Introduction: Path Forward or Road to Nowhere? Implications of the 2009 National Academy of Sciences Report on the Forensic Sciences, 2010 UTAH LAW REVIEW 221 (2010) (symposium on forensic scientific evidence)

Introduction: Beyond Biology: Wrongful Convictions in the Post-DNA World, 2008 UTAH LAW REVIEW 1 (2008) (symposium on wrongful convictions)

Innocence Lost . . . and Found: An Introduction to the Faces of Wrongful Conviction Conference, 37 GOLDEN GATE UNIVERSITY L. REV. 1 (2006) (symposium on wrongful convictions)

Looking Foreword: Wrongful Convictions and Systemic Reform, 42 AMERICAN CRIMINAL LAW REVIEW 1117 (2005) (symposium on wrongful convictions)

Other Publications

Op-Ed, *Prosecutors Behaving Badly*, HOUSTON CHRONICLE, February 26, 2012

SELECTED RECENT PRESENTATIONS

Co-Moderator, *Discussion Concerning Reentry*, American Bar Association (ABA) Criminal Justice Roundtable, BYU Law School, Provo, UT, March 2012

Presenter, *Presentation in Opposition to Proposed Amendments to Factual Innocence Statute*, Utah House Law Enforcement and Criminal Justice Committee, Utah State Capitol, Salt Lake City, UT, February 2012

Presenter, *Prosecution Complex: America's Race to Convict and Its Impact on the Innocent*, Faculty Workshop, University of San Francisco School of Law, San Francisco, CA, September 2011

Presenter, *The Evolving Landscape of Expert Opinion Testimony*, Utah State Annual Judicial Conference, Midway, UT, September 2011

Presenter, *Ethics for the Public Lawyer: Professional and Civility Considerations*, Faculty Workshop, University of Utah-S.J. Quinney College of Law, Salt Lake City, UT, April 2011

Panelist, *The Legacy of John Adams: From Boston to Guantanamo*, Hinckley Institute of Politics, University of Utah, Salt Lake City, UT, April 2011

Presenter, *Prosecution Complex: America's Race to Convict and Its Impact on the Innocent*, Faculty Workshop, Thomas Jefferson School of Law, San Diego, CA, March 2011

Presenter, *Prosecution Complex: America's Race to Convict and Its Impact on the Innocent*, Tanner Humanities Center Work-in-Progress Series, University of Utah, Salt Lake City, UT, February 2011

Presenter, *Closing the Door on Misconduct: Ethical Standards Governing Summations in Criminal Trials*, Roundtable: Proposed Revisions to the ABA Standards for Prosecution and Defense Functions, Benjamin N. Cardozo School of Law, New York, NY, October 2010

Presenter, *Closing the Door on Misconduct: Ethical Standards Governing Summations in Criminal Trials*, Roundtable: Proposed Revisions to the ABA Standards for Prosecution and Defense Functions, Loyola Law School, Los Angeles, CA, October 2010

Presenter, *Highlights from the Last Year in Innocence Jurisprudence*, 2010 Innocence Network Conference, Atlanta, GA, April 2010

Panelist, *Transformative Evidence: Changes Inside the Courtroom and Outside the Courthouse*, AALS Section on Evidence, AALS Annual Conference, New Orleans, LA, January 2010

Panelist, *The Lessons of DNA and the Innocence Revolution for the Criminal Justice System*, AALS Section on Criminal Justice, AALS Annual Conference, New Orleans, LA, January 2010

Session Leader, *Internal Regulation by Prosecutors of Disclosure Obligations*, Symposium: New Perspectives on *Brady* and Other Disclosure Obligations: What Really Works?, Benjamin N. Cardozo School of Law, New York, NY, October 2009

Presenter, *Hearsay Evidence: What You Have Heard is Not All There is to Say*, Utah State Annual Judicial Conference, Midway, UT, September 2009

Presenter, *Impeachment of Witnesses*, Utah State District Court Judges Conference, Salt Lake City, UT, May 2009

Presenter, *Highlights from the Last Year in Innocence Jurisprudence*, 2009 Innocence Network Conference, South Texas College of Law, Houston, TX, March 2009

Presenter, *Presentation in Opposition to Proposed Constitutional Amendment Restricting Judicial Review of Post-Conviction Petitions*, Utah Senate Judiciary Committee, Utah State Capitol, Salt Lake City, UT, February 2009

Panelist, *Defense Perspectives on the Prosecutorial Ethic*, Symposium on The Prosecutorial Ethic: A Tribute to King County Prosecutor Norm Maleng, University of Washington School of Law, Seattle, WA, May 2008

Presenter, *Innocentrism*, 2008 Innocence Network Conference, Santa Clara University School of Law, Santa Clara, CA, March 2008

Panelist, *Research: What We Need and Want to Know About Wrongful Convictions and How to Do So*, 2008 Innocence Network Conference, Santa Clara University School of Law, Santa Clara, CA, March 2008

Presenter, *Innocentrism*, Beyond Biology: Wrongful Convictions in the Post-DNA World Symposium, University of Utah-S.J. Quinney College of Law, November 2007

Panelist, *Tunnel Vision: Dealing with Overzealous Prosecutors*, 2007 Innocence Network Conference, Harvard Law School, Cambridge, MA, March 2007

Moderator, *Wrongful Convictions and Forensic Science: Current Developments*, 2007 Innocence Network Conference, Harvard Law School, Cambridge, MA, March 2007

Moderator and Organizer, *Synergy of Innocence Workshops: I: Wrongful Convictions and Advocacy and II: Wrongful Convictions and Scholarship*, University of Utah-S.J. Quinney College of Law, Salt Lake City, UT, October 2006

Presenter, *The Zeal Deal: Prosecutorial Resistance to Post-Conviction Claims of Innocence*, Rosenthal Institute for Justice,

University of Cincinnati College of Law, Cincinnati, OH, April 2006

Presenter, *California Dreaming? The Golden State's Restless Approach to Newly Discovered Evidence of Innocence*, The Faces of Wrongful Convictions: A Conference Examining California Justice Gone Wrong, UCLA, Los Angeles, CA, April 2006

Moderator, *The History of Wrongful Convictions*, 2006 Innocence Network Conference, University of Washington School of Law, Seattle, WA, March 2006

Presenter, *Anatomy of a Wrongful Conviction: Theoretical Implications and Practical Solutions*, Utah Valley State College Death Penalty Symposium, Utah Valley State College, Orem, UT, September 2005

Presenter, *The Bipartisan Appeal of Innocence: Working with the Right on Legislative Issues Related to Wrongful Convictions*, Innocence Network Western Region Policy Conference, Santa Clara University School of Law, Santa Clara, CA, August 2005

Moderator, *Educating the Public through the Arts: Wrongful Convictions in Print and in Film*, 2005 Innocence Network Conference, University of the District of Columbia, Washington, DC, April 2005

Panelist, *Wrongful Convictions and Systemic Reform*, Georgetown University Law Center, Washington, DC, March 2005

Presenter, *Wrongful Convictions: An Issue of National (and Local) Significance*, Twenty-Third Annual BYU Law School State and Local Government Conference, Provo, UT, March 2005

Presenter, *Up the River without a Procedure: Innocent Prisoners and Newly Discovered Non-DNA Evidence in State Courts*, Faculty Brown Bag, University of Utah, Salt Lake City, UT, February 2005

Moderator, *Ethical Dilemmas Panel*, 2004 Innocence Network Conference, Austin, TX, April 2004

Presenter, *Case Screening: From 1000 Letters to 10 Clients*, 2003 Innocence Network Conference, New Orleans, LA, March 2003

Presenter, *The Death Penalty and Wrongful Convictions*, Robert M. Cover Public Interest Retreat, Peterborough, NH, March 2003

Guest Commentator (discussing the eyewitness identification issues pertaining to the D.C.-area sniper investigation), *Catherine Crier Live*, Court TV, New York, NY, November 2002

Presenter, *Actual Innocents: Considerations in Selecting Cases for a New Innocence Project*, New York Law School, New York, NY, October 2002

BAR ADMISSIONS

New York, 1998; Massachusetts, 1995

PROFESSIONAL SERVICE

Member, Board of Directors, Innocence Network (2005-Present)

President, Board of Directors, Rocky Mountain Innocence Center (2011-2012)

Member, Board of Directors, Rocky Mountain Innocence Center (2004-2012)

Member, Utah Supreme Court Advisory Committee on the Rules of Evidence (2010-2012)

Member, Board of Directors, Salt Lake Legal Defender Association (2010-2012)

Member, Board of Directors, Utah Association of Criminal Defense Lawyers (2005-2008)