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EDUCATION

1994 New York University School of Law: LL.M. (General)
1992 Faculty of Law, Queen's University: LL.B.
1989 Department of Sociology, University of Toronto: M.A. (Sociology)
1988 Trinity College, University of Toronto: B.A. (Hon.) (Political Science and Sociology) (*cum laude*)

CLERKSHIP

1995 Term Supreme Court of Canada
Rt. Hon. Antonio Lamer, Chief Justice of Canada

ACADEMIC APPOINTMENTS AND POSITIONS

2009-Present Faculty of Law, University of Windsor, Professor
2009- 2012 Law Enforcement Accountability Project (LEAP), Faculty of Law, University of Windsor, Academic Director
2006-2009 Faculty of Law, University of Windsor, Associate Professor
2003-2006 Faculty of Law, University of Windsor, Assistant Professor
1998-2002 Osgoode Hall Law School, Adjunct Professor
1994 New York University School of Law, Teaching Assistant
1989 Department of Sociology, University of Toronto, Teaching Assistant

FELLOWSHIPS

2017 Royal Society of Canada (Academy of Social Sciences)

AWARDS

2016 University of Windsor Award for Excellence in Scholarship, Research and Creative Activity (Senior Category) (\$4,000)
2011 Windsor Students' Law Society Faculty Award
2007 Windsor Students' Law Society Faculty Award
2006 Canadian Association of Law Teachers Scholarly Paper Award
2005 University of Windsor Award for Excellence in Scholarship, Research and Creative Activity (Junior Category) (\$2,000)
1994 Bernard and Pauline Lasker Scholars Scholarship (NYU)
1992 David Sabbath Prize (Advanced Criminal Law) (Queen's)
1991 Queen's Prize (Criminal Procedure)

EDITORIAL POSITIONS

- 2016- Co-Editor, *Canadian Bar Review* (CBA, Ottawa) (with Christopher Waters)
2003-2005 Associate Editor, *Criminal Reports* (Carswell, Toronto)

PUBLICATIONS**Peer-Reviewed Articles**

- 2015 “‘Whack’ No More: Infusing Equality into the Ethics of Defence Lawyering in Sexual Assault Cases” 45(3) *Ottawa Law Review* 495-525
2012 “An Equality-Oriented Approach to the Admissibility of Similar Fact Evidence in Sexual Assault Prosecutions in Sheehy (ed), *Sexual Assault in Canada: Law, Practice & Activism* (Ottawa: Ottawa University Press) (Volume 2) at 541-568
2011 “Rethinking the *Bona Fides* of Entrapment” 43 *UBC Law Rev* 417-446
2009 “Thinking Like a Lawyer: A Model Code of Professional Responsibility for Law Students” 27 *Windsor Yearbook of Access to Justice* 75-109
2005a “Law’s Ambition and the Reconstruction of Role Morality in Canada” 28 *Dalhousie Law Journal* 267-310 (recipient of the 2005 CALT Scholarly Paper Award)
2005b “Moving Beyond ‘Driving While Black’ In Canada: Race, Suspect Description and Selection” 36 *Ottawa Law Review* 315-348
2004 “E-Racing Racial Profiling” 41 *Alberta Law Review* 905-933¹
2003 “Starr Gazing: Looking into the Future of Hearsay in Canada” 28 *Queen’s Law Journal* 371-409²
2002 “Using the Charter to Stop Racial Profiling: The Development of an Equality Based Conception of Arbitrary Detention” 40 *Osgoode Hall Law Journal* 145-187³
1996 “The Admissibility of Novel Scientific Techniques under *Mohan*” 1 *Canadian Criminal Law Review* 222-251

Peer-Reviewed Books

- 2006 *The Colour of Justice: Policing Race in Canada* (Toronto: Irwin Law)

Other Books

- 2015 *Evidence: Principles and Problems* (11th ed) (Toronto: Carswell) (with Professors Ron Delisle, Don Stuart and Lisa Dufraimont)
2015 *An International Review of Criminal Evidence – A Global Perspective of the Most Significant Criminal Evidence Cases – (Volume 1)* (Toronto: Canada Law Book) (with Justice Casey Hill and Lou Strezos)
2013a *McWilliams Canadian Criminal Evidence* (Toronto: Canada Law Book) (5th ed.) (with Justice Casey Hill and Lou Strezos)⁴ **[5 releases per year including Annual Review]**

Note: Only Supreme Court of Canada and appellate court citations are included in these notes.

¹ Cited in *Peart v Peel Regional Police* (2006) 46 CR (6th) 175 (Ont CA).

² Cited in *R v Khelawon* (2005), 194 CCC (3d) 161 (Ont CA).

³ Cited in *R v Grant* [2009] 2 SCR 353; *Peart v Peel Regional Police* (2006) 46 CR (6th) 175 (Ont CA).

⁴ Cited in *R v Cain* 2017 NSCA 96; *R v Bridgman* 2017 ONCA 940; *R v Shams* 2017 MBCA 116; *R v Wilkinson* 2017 ONCA 756; *R v Sawatzky* 2017 ABCA 179; *R v Brady* 2017 NSCA 41; *R v Khan* 2017 ONCA 114; *R v Gareau* 2016 NSCA 75; *R v Arseneault* 2016 NBCA 47; *R v Bent* 2016 ONCA 651; *R v McGown* 2016 ONCA 575; *R v Louangrath* 2016 ONCA 550; *R v Desjarlais* 2016 MBCA 69; *R v Sawatzky* 2017 ABCA 179; *R v Brady* 2017

- 2013b *Evidence: Principles and Problems* (10th ed) (Toronto: Carswell) (with Professors Ron Delisle, Don Stuart and Lisa Dufraimont)
- 2010 *Evidence: Principles and Problems* (9th ed) (Toronto: Carswell) (with Professors Ron Delisle and Don Stuart)
- 2007 *Evidence: Principles and Problems* (8th ed) (Toronto: Carswell) (with Professors Ron Delisle and Don Stuart)⁵
- 2004 *Evidence: Principles and Problems* (7th ed) (Toronto: Carswell) (with Professors Ron Delisle and Don Stuart)⁶
- 2003 *McWilliams Canadian Criminal Evidence* (Toronto: Canada Law Book) (4th ed) (with Justice Casey Hill and Lou Strezos)⁷
- 2001-2002 *Annual Review of Criminal Law* (Toronto: Carswell) (with Professor Gerry Ferguson)
- 1998-2000 *Annual Review of Criminal Law* (Toronto: Carswell)
- 1997 *Jury Selection in Criminal Trials* (Toronto: Irwin Law) (with Professor David M. Paciocco and Steven Skurka)⁸

Chapters in Books

- 2017 “Chapter 8: Ethics and Criminal Law Practice” in Woolley, Alice; Devlin, Richard; Cotter, Brent & Law, John M, *Lawyers’ Ethics and Professional Regulation* (3rd) (Toronto: Lexis Nexis) 479-546

NSCA 411; *R v Khan* 2017 ONCA 114; *R v Gareau* 2016 NSCA 75; *R v Arseneault* 2017 NBCA 47; *R v Bent* 2016 ONCA 651; *Dudley Estate v BC* 2016 BCCA 328; *R v McGown* 2016 ONCA 575; *R v Lovangrath* 2016 ONCA 550; *R v Desjarlais* 2016 MBCA 69; *R v Manitopyes* 2016 SKCA 61; *R v Falconer* 2016 NSCA 22; *R v Yeo* 2016 PECA 5; *R v Shaouille* 2015 SKCA 101; *R v Locke* 2015 MBCA 73; *R v Bulldog* 2015 ABCA 251; *Landmark Vehicle Leasing Corp v Mister Twister Inc* 2015 ONCA 545; *R v Hardy* 2015 MBCA 51; *R v Cawthorne* 2015 CACM 1; *R v Downey* 2015 NBCA 25; *R v Downey* 2015 NBCA 25; *USA v Viscomi* 2015 ONCA 484; *White Burgess Langille Inman v Abbott* 2015 SCC 3; *R v A(G)* 2015 ONCA 159; *R v Dreaver* 2014 SKCA 133; *R v Greenwood* 2014 NSCA 80; *R v McLachlan* 2014 SKCA 68; *R v Fatunmbi* 2014 MBCA 53; *R v R v T(P)* 2014 NLCA 6; *R v Robinson* 2014 ONCA 63; *R v Dayes* 2013 ONCA 614; *R v Coderre* 2013 QCCA 1434. [See also the citations of the 4th edition in Note 7].

⁵ Cited in *R v Singh* [2007] 3 SCR 405.

⁶ Cited in *R v Situ* (2005) 200 CCC (3d) 9 (Alta CA).

⁷ Cited in *R v Lawrence* 2015 BCCA 358; *R v Louie* 2014 SKCA 107; *R v Head* 2014 MBCA 59; *R v Lalonde* 2014 QCCA 639; *R v Kailayapillai* 2013 ONCA 248; *R v H(R)*, 2013 ONCA 16; *R v Y(N)*, 2012 ONCA 745; *R v O’Kane* (2012) 285 CCC (3d) 463 (Alta CA); *R v Baldree* (2012) 280 CCC (3d) 91 (Ont CA); *R v Selvanayagam* (2011) 281 CCC (3d) 3 (Ont CA); *R v Saloman* [2011] JQ No 4183 (CA); *R v Edgar* (2010) 260 CCC (3d) 1 (Ont CA); *R v O’Brien* (2010) 258 CCC (3d) 358 (NSCA); *R v Johnson* (2010) 262 CCC (3d) 404 (Ont CA); *R v Liberatore* (2010) 262 CCC (3d) 559 (NSCA); *R v Khela* [2009] 1 SCR 104; *R v Dinardo* [2008] 1 SCR 788; *R v Trochym* [2007] 1 SCR. 239; *R v Abbey* (2009) 246 CCC (3d) 301 (Ont CA); *R v Korski* (2009) 244 CCC (3d) 452 (Man CA); *R v Pasqua* [2009] AJ No 702 (CA); *R v Ellard* (2008) 239 CCC (3d) 233 (BCCA); *Samra v Guru Nanak Gurdwara Society* [2008] BCJ No 842 (CA); *R v Tanasichuk* (2007) 227 CCC (3d) 446 (NBCA); *R v M (D)* (2007) 223 CCC (3d) 193 (NSCA); *R v Maciel* (2007) 219 CCC (3d) 516 (Ont CA); *R v D(S)* (2007) 218 CCC (3d) 323 (Ont CA); *R v Stirling* (2007) 215 CCC (3d) 208 (B.C.C.A.); *R. v. Truscott* (2006), 213 C.C.C. (3d) 183 (Ont. C.A.); *R. v. Jarvis* (2006), 211 C.C.C. (3d) 20 (Ont CA); *R v S(DD)* (2006) 207 CCC (3d) 319 (NSCA); *R v Nikkel* [2006] MJ No 134 (CA); *R v B(DID)* [2006] QJ No 2958 (CA); *R v Savard* [2005] JQ No 12572 (CA); and, *R v Mallory* (2004) 189 CCC (3d) 345 (NBCA).

⁸ Cited in *R v Find*, [2001] 1 SCR 863 and *R v Williams* [1998] 1 SCR 1128.

Other Articles

- 2017a “Applying The Racial Profiling Correspondence Test” 64 *Criminal Law Quarterly* 359-383
- 2017b “Regulating Inductive Reasoning In Sexual Assault Cases” in Ben Berger, Emma Cunliffe & James Stribopoulos, *To Ensure That Justice Is Done: Essays In Memory of Marc Rosenberg* (Toronto: Carswell) 73-95
- 2016 “*R v Campbell*: Rethinking the Admissibility of Rap Lyrics in Canadian Criminal Cases” 24 *Criminal Reports* (7th) 27-43
- 2014a “*Andalib-Goortani*: Authentication & the Internet” 13 *Criminal Reports* (7th) 140-143
- 2014b “*Hart*: A Welcome New Emphasis on Reliability and Admissibility” 12 *Criminal Reports* (7th) 298-303
- 2014c “*J(TR)*: Time to Remove Religion from the Oath” 1 *Criminal Reports* (7th) 211-214
- 2013a “Judicial and Prosecutorial Control of Lying by the Police” 100 *Criminal Reports* (6th) 322-334
- 2013b “*Angelis*: Inductive Reasoning, Post-Offence Conduct and Intimate Femicide” 99 *Criminal Reports* (6th) 338-350
- 2011 “Gendered and Racialized Violence, Strip Searches, Sexual Assault and Abuse of Prosecutorial Power” 79 *Criminal Reports* (6th) 132-150
- 2010 “Criminalizing Sex at the Margins” 74 *Criminal Reports* (6th) 86-95⁹
- 2008a “Ignoring the *Golden Principle* of *Charter* Interpretation” 42 *Supreme Court Law Review* 441-458
- 2008b “A Powerful Blow against Police Use of Drug Courier Profiles” 55 *Criminal Reports* (6th) 379-393
- 2008c “The *Charter* of Whiteness: Twenty-Five Years of Maintaining Racial Injustice in the Canadian Criminal Justice System” 40 *Supreme Court Law Review* 655-686 (reprinted in Cameron & Stribopoulos (eds.) *The Charter and Criminal Justice – Twenty-Five Years Later* (Toronto: Butterworths) 655-686)
- 2008d “The Implications of *Beatty* for Criminal Negligence” 54 *Criminal Reports* (6th) 38-44¹⁰
- 2006 “The Further Erasure of Race in *Charter* Cases” 38 *Criminal Reports* (6th) 84-103¹¹
- 2004a “Race, Sentencing and the ‘War On Drugs’” 22 *Criminal Reports* (6th) 45-56
- 2004b “The Colourless World of Mann” 21 *Criminal Reports* (6th) 47-57
- 2004c “*R v Taillifer*: Disclosure, Guilty Pleas and Ethics” 17 *Criminal Reports* (6th) 149-155
- 2003a “*R v Griffiths*: Race and Arbitrary Detention” 11 *Criminal Reports* (6th) 149-151
- 2003b “Relevance, Social Context and Poverty” 9 *Criminal Reports* (6th) 348-353
- 2002a “Res Ipsa Loquitur and Racial Profiling” 46 *Crim LQ* 329-340
- 2002b “Operation Pipeline and Racial Profiling” 1 *Criminal Reports* (6th) 52-55
- 2001 “Testing the Presumption that Trial Judges Know the Law” 43 *Criminal Reports* (5th) 298-307¹²
- 1999a “A Breath of Fresh Air on the Incarceration Addiction in Drug Cases” 23 *Criminal Reports* (5th) 242-258

⁹ Cited in *R v A(J)* [2011] SCJ No 28.

¹⁰ Cited in *R v Dorval* [2010] JQ No 22034 (CA).

¹¹ Cited in *R v Yeh* (2009) 248 CCC (3d) 125 (Sask CA).

¹² Cited in *R v Sheppard* [2002] 1 SCR 869.

- 1999b “Making Sense of the Meaning of Conscriptive Evidence Following *Stillman*” 20 *Criminal Reports* (5th) 233-245¹³
- 1999c “Should Appellate Courts In Canada Be Empowered to Intervene Where There Exists A Lurking Doubt About Guilt?” in D. Stuart et. al. (eds.) *Making Criminal Law Clear and Just* (Toronto: Carswell, 1999) 422-455
- 1998a “The Future of the Challenge for Cause in the Wake of *Williams*” 15 *Criminal Reports* (5th) 250-258
- 1998b “Upping the Ante in Directed Verdict Cases Where the Evidence is Circumstantial” 15 *Criminal Reports* (5th) 21-27¹⁴
- 1997a “Revisiting the *Sweitzer* Issue of Proof in Similar Fact Evidence Cases” 9 *Criminal Reports* (5th) 74-83
- 1997b “Closing the Door on Offence-Based Challenges for Cause” 7 *Criminal Reports* (5th) 351-356
- 1996 “Revisiting *Harbottle*: Does the Substantial Cause Test Apply to all Murder Offences” 38 *Crim LQ* 322-332 (with James Lockyer)¹⁵
- 1995a “Ensuring Justice for All: When Can a Change in the Law Be Raised on Appeal” 38 *Criminal Reports* (4th) 397-404
- 1995b “When Does *Stinchcombe* Demand That the Crown Reveal the Identity of a Police Informer” 38 *Criminal Reports* (4th) 202-208¹⁶
- 1995c “Using Unconstitutionally Obtained Evidence to Impeach” 35 *Criminal Reports* (4th) 82-87
- 1995d “Further Developments on Claims of Ineffectiveness of Counsel” 34 *Criminal Reports* (4th) 32-38
- 1994a “Charting the Constitutional Right of Effective Assistance of Counsel in Canada” 36 *Crim LQ* 404-422¹⁷
- 1994b “Can the Improper Admission of Evidence Under the *Charter* Ever be Cured” 32 *Criminal Reports* (4th) 82-90¹⁸
- 1994c “Rethinking Jury Selection: Challenge For Cause and Peremptory Challenges” 30 *Criminal Reports* (4th) 310-332¹⁹
- 1994d “Monteleone’s Legacy: Confusing Sufficiency With Weight” 27 *Criminal Reports* (4th) 174-181²⁰
- 1994e “Dancing With *Stinchcombe*’s Ghost: A Modest Proposal for Reciprocal Defence Disclosure” 26 *Criminal Reports* (4th) 333-351 (with Professor Lawrence Crocker)
- 1993a “The Unraveling of the Golden Thread: The Supreme Court’s Compromise of the Presumption of Innocence” 35 *Crim LQ* 194-210
- 1993b “The Constitutionality of Searches Incident to Vehicle Stops” 35 *Crim LQ* 323-333
- 1993c “The Right to Counsel and Police Lineups” 24 *Criminal Reports* (4th) 125-136

¹³ Cited in *R v Dolynchuk* (2004) 189 CCC (3d) 214 (Man CA); *R v Jacobs* (1999) 137 CCC (3d) 345 (Que CA).

¹⁴ Cited in *R v Arcuri* [2001] SCR 828.

¹⁵ Cited in *R v Lucas* (2001) 156 CCC (3d) 474 (Que CA).

¹⁶ Cited in *R v Leipert* [1997] 1 SCR 281 and *R v Michaud* [1996] 3 SCR 3.

¹⁷ Cited in *R v Joannis* (1995) 102 CCC (3d) 35 (Ont CA).

¹⁸ Cited in *R v Burlingham* [1995] 2 SCR 206.

¹⁹ Cited in *R v K (A)* (1999) 137 CCC (3d) 229 (Ont CA).

²⁰ Cited in *R v Charemski*, [1998] 1 SCR 679.

- 1993d “Probative Value and the Issue of Proof in Similar Fact Evidence Cases” 23 *Criminal Reports* (4th) 157-163
- 1993e “An Analysis of Section 741.2 of the Criminal Code” 18 *Criminal Reports* (4th) 215-220
- 1992a “To Be or Not To Be: Doctrinal Schizophrenia and the Right to Counsel” 34 *Crim LQ* 205-217
- 1992b “The Charter Right to Silence and the Unchartered Waters of a New Voluntary Confessions Rule” 9 *Criminal Reports* (4th) 24-45
- 1992c “Rethinking the Meaning of Detention: The Doctrine of “Preliminary Investigatory Detention is Not Appropriate” 7 *Criminal Reports* (4th) 374-387²¹

Case Annotations

- 2014a *R v K(A)* 11 *Criminal Reports* (7th) 76-77 (with Don Stuart) (racial profiling)
- 2014b *R v H(S)* 11 *Criminal Reports* (7th) 88-91 (automatism)
- 2005a *R v Trieu* 28 *Criminal Reports* (6th) 176 (relevance of guilty plea)
- 2005b *R v Titmus* 27 *Criminal Reports* (6th) 78-79 (similar act evidence)
- 2005c *R v Tran* 25 *Criminal Reports* (6th) 49 (ineffective assistance of counsel)
- 2004a *R v Thomas* 22 *Criminal Reports* (6th) 376 (arrest warrants)
- 2004b *R v Ferdinand* 21 *Criminal Reports* (6th) 66-67 (racial profiling)
- 2004c *R v Ducharme* 20 *Criminal Reports* (6th) 333-334 (video-taping confessions)
- 2004d *R v Demers* 20 *Criminal Reports* (6th) 245-246 (overbreadth)
- 2004e *R v Bui* 18 *Criminal Reports* (6th) 372 (hearsay and implied assertions)
- 2004f *R v Singh* 15 *Criminal Reports* 289-290 (racial profiling)
- 2003a *R v Chan* 14 *Criminal Reports* 90-91 (ineffective assistance of counsel)
- 2003b *R v Woodcock* 14 *Criminal Reports* 157 (character evidence)
- 1997 *R v Shanks* (1997), 4 *Criminal Reports* (5th) 80-81 (causation)
- 1994 *R v Fisher* (1994) 28 *Criminal Reports* 64-65 (reverse onuses)
- 1993 *R v Newman* (1993) 20 *Criminal Reports* 371-372 (ineffective assistance of counsel)
- 1992 *R v Hawkins* (1992) 14 *Criminal Reports* 287-290 (the meaning of detention)
- 1991 *R v Evans* (1991) 4 *Criminal Reports* 146-148 (section 10(a) of the *Charter*)

Essays

- 2016 “Rap on Trial: How courts are using lyrics to convict young Black men” *The Walrus* (18 May)

Newspaper Commentaries

- 2016a “Not in Canadian Court: Trump “Values” – Nor a Trump Hat” *Globe & Mail* (14 November)
- 2016b “Whacking the Complainant: A Real and Systemic Problem” *Globe & Mail* (10 February) (with Professor Elaine Craig)
- 2016c “What To Do With Police Who Lie” *Toronto Star* (4 February)
- 2015a “Sentencing Takes Pregnancy Into Account” *Windsor Star* (9 March 2015)

²¹ Cited in *USA v Alfaro* (1992) 75 CCC (3d) 211 (Que CA).

- 2015b “White Male Lawyers Should Say No To Judicial Appointments” *Globe & Mail* (18 February)
- 2015c “Windsor Police Turn to ‘Blooding’ in Search of a Killer” *Windsor Star* (27 January)
- 2014a “Only One Way to Address Problems With Carding – Abolish It” *Toronto Star* (2 December)
- 2014b “Are the Lawyers Pursuing Jian Ghomeshi’s Lawsuit Acting Unethically” *Toronto Star* (6 November)
- 2012a “Tactic to Silence Critics” *Windsor Star* (10 May)
- 2012b “Improving Transparency and Accountability” *Windsor Star* (9 January)
- 2011 “A Shocking Sentence for a Shocking Crime” *Windsor Star* (8 August)
- 2010a “The Crown Should Align with Justice Not Police” *Ottawa Citizen* (11 December)
- 2010b “What Were the Prosecutors Thinking” *Ottawa Citizen* (19 November)
- 2010c “Racial Profiling Makes Us Less Safe” *Ottawa Citizen* (8 January)
- 2009a “Police Chief’s Apology Will Go a Long Way” *The Windsor Star* (19 November)
- 2009b “Ontario’s Legal Aid Crisis is Ramping Up” *The Windsor Star* (11 August)
- 2009c “Crown Squarely to Blame” *The Windsor Star* (17 June)
- 2008a “Address Racial Profiling” *Winnipeg Free Press* (15 June)
- 2008b “Confidence Lacking in System’s Fairness” *The Windsor Star* (18 February)
- 2007a “Making the Race Case”, *NOW Magazine* (26 July)
- 2007b “One List for Air Travelers, One for Black Youth” *Toronto Star* (5 July)
- 2005 “Racial Profiling Won’t Defeat Gangs” *Toronto Star* (17 August)
- 2004a “Race, Sentencing and the “War on Drugs”” *Toronto Star* (6 August)
- 2004b “Stephen Harper Must Say No to the Death Penalty” *National Post* (24 June)
- 2004c “Why Race Matters on Sentencing” *Toronto Star* (25 February)
- 2003 “Using Data to Fight Bias” *Toronto Star* (11 December)
- 2001 “Don’t Let Cops Investigate Cops” *Globe and Mail* (31 August)

LEAP REPORTS/TRAINING MATERIALS/POLICIES

- 2010a “Police Complaints Project Training and Resource Materials” (21 September)
- 2010b “Breaking Down the Barriers: Enhancing the Capacity of the Windsor Police Service to Recruit a Diverse Police Service” (June) (co-authored with LEAP students)
- 2009a Ottawa Police Service “Racial Profiling” (Policy No: 1.08) (Draft policy for consultation) (co-authored with LEAP students) [enacted in 2011 (27 Jan) as Policy No: 5.39]
- 2009b “A Process in Need of Repair: The Campus Police Complaints System at the University of Windsor” (9 December) (co-authored with LEAP students)

ENDOWED LECTURES

- 2006 “The Colour of Justice: Policing Race in Canada”, **The Culliton Lecture in Criminal Law**, University of Saskatchewan College of Law (23 January)
- 2005 “Law’s Ambition and the Reconstruction of Role Morality in Canada”, **The F.B. Wickwire Memorial Lecture Series in Professional Responsibility and Legal Ethics**, Dalhousie Law School (17 November)

DISTINGUISHED VISITING LECTURE

- 2008 Robson Hall, University of Manitoba (30 October)
 “The Song Remains the Same: The Failure of the Police to Adequately Respond to Racial Profiling in Canada”

INVITED BOOK READINGS

- 2014 World Literacy Canada, KAMA 2014, (*Colour of Justice: Policing Race in Canada*) (26 February) (Toronto)

RESEARCH PRESENTED AT CONFERENCES, FORUMS AND PANELS

- 2017a “The Limits of Cross-Examination of a Victim of Sexual Assault”, *SVHAP CO-Leads Conference* (19 April) (Toronto)
- 2017b “Applying The Racial Profiling Correspondence Test”, *The Six-Minute Criminal Lawyer 2017* (8 April) (Toronto)
- 2016a “Assessing Credibility in Sexual Assault Cases”, *Symposium in Honour of the Honourable Mr Justice Marc Rosenberg* (24 September) (National Judicial Institute) (Toronto)
- 2016b “Defence ‘Whacking’ in Sexual Assault Cases: How Can the Crown Prevent, Mitigate and Respond?” *CLD/OCAA Annual Crown Conference* (26 May) (Niagara Falls)
- 2016c “Ottawa Police Racial Profiling Policy”, *Racial Profiling Policy Dialogue* (16-18 February) (Toronto)
- 2016d “Defence “Whacking” of Sexual Assault Complainants: Etiology, Prohibition, Manifestations and Responses”, *2016 Sexual Harassment & Violence Action Plan (SHVAP) Conference* (21 January) (London)
- 2016e “The Ethical Obligation To No “Whack” Complainants in Sex Assault Cases”, *Cavanagh LLP Professionalism Speakers Series* (University of Ottawa) (15 January)
- 2015a “Facing The Modern Day Ethical Dilemmas in Criminal Law”, Ontario Bar Association (7 October) (Windsor)
- 2015b “Unreliability, Tunnel Vision and Implicit Bias: Evidence & Wrongful Convictions”, *Wrongful Conviction Day* (Defence of the Wrongly Convicted, Faculty of Law, University of Windsor) (30 September)
- 2013a “Race and Wrongful Convictions”, *Back to the Future* (AIDWYC) (23 November) (Toronto)
- 2013b “Ethical Principles and the Search for Truth. Clash or Convergence?” *How Do We Know What We Know: Facts in the Legal System* (CIAJ Conference) (10 November) (Toronto)
- 2012 “The Ethical Limits of Defence Lawyering in Sexual Assault Cases”, *Merging Worlds, Emerging Discourses* (Banff: International Legal Ethics Conference V) (12 July – 14 July)
- 2011a “The Bonds Case: Race, Gender and Legal Ethics” (Queen’s Law School) (28 January)
- 2011b “The Ethical Obligations of Government Lawyers: Whistleblowing and Private Conduct” *Annual Conference of Canadian Ethics Professors* (Ottawa Law School) (22 October)
- 2010 “The Ethical Obligations of Government Lawyers: The National Security Context”, *Torture and National Security: The Making of a Social Institution* (Faculty of Law, University of Windsor) (3-4 March)

- 2009a “Creating a Big Mac: The Charter and Entrapment”, *Top Ten Defences* (Criminal Lawyers Association, Toronto) (27 November)
- 2009b “Racial Profiling Litigation – Developing Adjudicative Standards” and “Using the Rules of Evidence”, LEAP Racial Profiling Litigation Training for the Ontario Human Rights Legal Support Centre (Toronto) (26 November)
- 2009c “Resistance and Proof in Racial Profiling Cases”, *Racial Profiling* (Quebec Bar Association, Montreal) (18 September)
- 2009d “Learning to Act Like a Lawyer: A Model Code of Professional Responsibility for Law Students”, *The Geographies of Legal Education: Policy, Practice and Theory* (Canadian Association of Law Teachers, Ottawa) (27 May)
- 2009e “The Dangers of the Suspect Description Exemption in Racial Profiling Law”, *Racial Profiling or Criminal Profiling: Race as a Suspect Descriptor* (CRARR Forum, Montreal) (25 March)
- 2009f “No Longer Handy: The Supreme Court’s Assault on the Admissibility of Similar Fact Evidence in Sexual Assault Cases” *Sexual Assault Law, Practice & Activism in a Post-Jane Doe Era* (University of Ottawa) (7 March)
- 2008a “Developing a Model Code of Professional Responsibility for Law Students: Why and How?” Faculty Seminar (University of Manitoba) (31 October)
- 2008b “Learning to Act Like a Lawyer: A Model Code of Professional Responsibility for Law Students”, *Professionalism and Serving Communities*, Eleventh Colloquium on the Legal Profession (24 October)
- 2008c “The Ethical Obligations of Law Students: The Need for a Student Code of Professional Responsibility”, *Re-Imagining Access to Justice: A Symposium in Honour of Professor Rose Voyvodic* (19 September)
- 2008d “The 2007 Term --- Ignoring the Golden Principle of Charter Interpretation”, *2007 Constitutional Cases*, Osgoode Hall Law School Annual Conference (18 April)
- 2007a “Silencing the Right to Silence”, Ontario Criminal Lawyers’ Association Annual Conference (26 October)
- 2007b “The Charter of Whiteness: Twenty-Five Years of Maintaining Racial Injustice in the Canadian Criminal Justice System”, *The National Conference on the Charter and Criminal Justice in Canada*, Osgoode Hall Law School (29 September)
- 2006a “Where Are All the Lawyers: The Absence of Racial Profiling Litigation in Canada”, Ontario Criminal Lawyers’ Association Annual Conference (4 November)
- 2006b “Racial Profiling in Canada”, Faculty of Law, McGill University (27 September)
- 2006c “Cultural Competence and the Litigation of Racial Profiling Cases” Faculty of Law, University of Ottawa (9 March)
- 2005a “Beyond Driving While Black: Race, Suspect Description and Selection” (Faculty Seminar), Faculty of Law, University of Dalhousie (18 November)
- 2005b “The Challenges of Racial Profiling Litigation in Canada”, *Critical Race Theory and Human Rights Conference*, University of Ontario Institute of Technology (26 October)
- 2005c “Identifying and Remediating Racial Profiling”, Social Justice In-Action Community Discussion Series, Centre for Social Justice, University of Windsor (21 September)

- 2005d “Playing the Bias Card and Ignoring the ‘War on Drugs’” - The Implications of *R. v. Hamilton*”, The Kathleen Lahey Feminist Speaker Series - “Poverty, Race and Gender”, Faculty of Law, University of Windsor (7 March)
- 2005e “Reconstructing a Distinctly Canadian Role Morality ‘In the Interests of Justice’ and the Implications for Reform”, *The Fourth Colloquium on the Legal Profession* (The Chief Justice of Ontario’s Advisory Committee on Professionalism), Faculty of Law, University of Windsor (3 March)
- 2005f “Three Models of Legal Ethics”, *Legal Ethics and Professionalism: Bridge Number 2*, Faculty of Law, University of Toronto (11 January)
- 2004a “Assessing Defence Evidence: How and Why Judges So Often Get It Wrong In Credibility Cases”, *Evidence and Advocacy*, Ontario Criminal Lawyers’ Association (30 October)
- 2004b “Data Collection”, Race Policy Dialogue, Ontario Human Rights Commission (October 6-8)
- 2004c “E-Racing Racial Profiling”, Faculty of Law, University of Windsor (22 January)
- 2003a “In The Name Of Innocence: Using Supreme Court Of Canada Jurisprudence to Protect Against Wrongful Convictions”, *Criminal Law In A Changing World*, Ontario Criminal Lawyers’ Association (8 November)
- 2003b “Using the Charter to Stop Racial Profiling: The Development Of An Equality Based Conception Of Arbitrary Detention” (2002) 40 *Osgoode Hall Law Journal* 145-187, *Criminal Law and The Charter* (Law Society of Upper Canada) (18 October)
- 2003c “Recent Trends in Remedies for Unconstitutional Searches”, *Symposium On Issues in Search and Seizure Law In Canada*, Osgoode Professional Development Program, (20 September)
- 2002a “Litigating Cases of Racial Profiling”, *Systemic Racism in the Canadian Criminal Justice System*, Faculty of Law, University of Toronto (29 November)
- 2002b “Using Starr to Reform the Hearsay Exceptions”, *Criminal Lawyer’s Evidence Update*, Law Society of Upper Canada
- PRESENTATIONS AT JUDICIAL EDUCATION PROGRAMS**
- 2016 “Judicial Control of ‘Whacking’ of Sexual Assault Complainants”, Ontario Court of Justice West Regional Seminar (2 November) (Niagara Falls)
- 2014 “Prior Consistent Statements”, National Judicial Institute: Criminal Law Seminar (27 March) (Vancouver)
- 2009 “The Seven Myths of Race and Investigative Detention”, National Judicial Institute: Criminal Law Seminar (25 March)
- 2006 “Racial Profiling - Identification, Proof and Missed Opportunities, Ontario Court of Justice, University Education Program, London (15 June)
- 2001 “Criminal Law Update”, Superior Court of Justice Fall Education Conference, (Toronto)
- 2000 “The Meaning of Voluntariness”, Ontario Court of Justice Spring Judicial Education Conference, (Toronto)

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- GRANTS (\$166,592)**
- 2016 Faculty of Law Research Grant (\$6,500)
Topic: Collecting Data – Sexual Assault Trials & Appeals
 Researcher: Natasha Donnelly
- 2015 Faculty of Law Research Grant (\$5,729)
Topic: Professional Experience and Judicial Decision-Making”
 Researcher: Natasha Donnelly
- 2014 Faculty of Law Research Grant (\$2,736)
Topic: Criminalizing Culture: The Admissibility of Rap Lyrics in Criminal Cases
 Researcher: Danny Anger
- 2013 Law Foundation of Ontario (\$4,377)
Topic: The Ethics of Discriminatory Defence Lawyering;
 Researcher: Fariya Walji
- 2012a University of Windsor ADTF Grant (\$1,000)
 Presented paper “The Ethical Limits of Defence Lawyering in Sexual Assault Cases”
 at the International Legal Ethics Conference V in Banff, Alberta
- 2012b Law Foundation of Ontario (\$6,384)
Topic: *Defence Ethics in Sexual Assault Cases*
 Researcher: Melissa Crowley
- 2011a Law Foundation of Ontario (\$9,302)
Topic: *Enhancing Evidence Teaching and Experiential Learning*
 Researcher: Armin Sethi
- 2011b Law Foundation of Ontario (\$6,384)
Topic: *Developing Strategies to Document and Expose Police Misconduct – Expert Perspectives
 on the Policing of Seasonal Agricultural Workers in Essex County”*
 Researcher: Ramon Meza Opazo
- 2010 Law Foundation of Ontario (\$10,532)
Topic: *Professional Obligations of Law Professors*
 Researcher: Nicole Myers
- 2009a University of Windsor ADTF (Academic Development Travel Fund) (\$1,000)
 Presented paper “No Longer *Handy*: The Supreme Court’s Assault on the
 Admissibility of Similar Fact Evidence in Sexual Assault Cases” at the University of
 Ottawa
- 2009b Law Foundation of Ontario (\$10,282)
Topics: *Is There Gender Bias in the Treatment of Sexual Assault Conviction Appeals?;
 Entrapment Survey; Confessions*
 Researchers: Mino Alipour Birgani and Robert Tarantino
- 2009c Law Foundation of Ontario (2 year grant) (\$50,000) to establish Windsor Law’s Law
 Enforcement Accountability Project (LEAP)
- 2008a University of Windsor Humanities and Social Sciences Research Grant (\$5,000)
Topic: *Is There Gender Bias in the Treatment of Sexual Assault Conviction Appeals?*
 Researcher: Mino Alipour Birgani
- 2008b “Supervising Professor” for the Borden Ladner Gervais Fellowship (\$10,000)
Topic: *Is There Gender Bias in the Treatment of Sexual Assault Conviction Appeals?*
 BLG Fellows: Karma Dolkar and Mino Alipour Birgani

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- 2008c Law Foundation of Ontario (\$12,663)
Topics: *Codes of Conduct and the Ethical Obligations of Law Students; Is There Gender Bias in the Treatment of Sexual Assault Conviction Appeals?*
 Researchers: Kevin Wong, Karma Dolkar, Minoo Alipour Birgani
- 2007 Law Foundation of Ontario (\$8,990)
Topic: *The Admissibility of Similar Fact Evidence After Handy*
 Researcher: Jillian Rogin
- 2006 Law Foundation of Ontario (\$7,067)
Topic: *Competence and Compellability*
 Researcher: Kristin Ciupa
- 2005 Law Foundation of Ontario (\$9,826)
Topic: *The Colour of Justice: Policing Race in Canada*
 Researchers: Alex Procope and Sarah Vokey
- 2004 Law Foundation of Ontario (\$6,064)
Topics: *A Critical Look at Professionalism and Legal Ethics in Canada Casebook; Race, Gender and Wrongful Convictions Casebook; The Colour of Justice: Policing Race in Canada*
 Researchers: Michelle Booth and Catherine Koch
- 2003 Law Foundation of Ontario (\$1,915)
 Researcher: Tim Morgan and Cherie Daniel
- RACIAL PROFILING EXPERTISE**
- 2016 Invited participant, Ontario Human Rights Commission, *Racial Profiling Policy Dialogue* (16-18 February)
- 2010 Drafted Racial Profiling Policy (with LEAP students) for Ottawa Police Service
- 2009-Present Academic Director, Law Enforcement Accountability Project (LEAP) at Windsor Law
- 2008 Retained as a consultant by the National Judicial Institute
- 2007 Created a new course at the Faculty of Law, University of Windsor (*Racial Profiling and the Law*)
- 2006a Retained by the Department of Justice, Government of Canada to provide expertise on a national policy regarding racial profiling
- 2006b Research cited by the Ontario Court of Appeal in *Peart v Peel Regional Police*
- 2006c Invited instructor for judicial education program (Ontario Court Justice)
- 2005a Research cited by the Ontario Human Rights Commission (*Policy and Guidelines on Racism and Racial Discrimination*)
- 2005b Research cited by the Quebec Commission des droits de la personne et des droits de la jeunesse (*Racial Profiling: Context and Definition*)
- 2004 Invited participant, Ontario Human Rights Commission, *Race Policy Dialogue*
- 1999 Argued first appellate racial profiling case in Canada: *R v Richards* (1999) 26 CR (5th) 286 (Ont CA)
- APPELLATE PRACTICE**
- 1997-2003 Argued over 90 criminal and *Charter* cases in the Supreme Court of Canada and Ontario Court of Appeal

TEACHING AND SERVICE**Law School Courses***Faculty of Law, University of Windsor*

- Present Criminal Law and Procedure (98-805), Evidence (98-850)
- Previous Legal Profession (98-939), Racial Profiling and the Law, Advanced Criminal Law, Clinic Practice Program at CLA
- Casebooks Course packs prepared for Criminal Law (2013-2016)
 Course pack prepared for Racial Profiling and the Law (708 pages)
 Course pack prepared for Advanced Criminal Law include *Race, Gender and Wrongful Convictions* (1256 pages, 2005)
 Course packs prepared for The Legal Profession include *A Critical Look At Professionalism and Legal Ethics in Canada* (1295 pages, 2005) and *Legal Ethics and Criminal Law* (793 pages, 2004)

PHD Thesis Committee (University of Windsor)

- 2018 Lisa Pascal, "Creating a New Lineup to Improve Same-Race and Cross-Race Identification Accuracy" (Faculty of Graduate Studies: Department of Psychology)

MA Thesis Committee (University of Windsor)

- 2016 Ryan Mullins, "The Implications of the Use of Terrestrial Laser Scanners in Forensics and Law" (Faculty of Graduate Studies: Department of Sociology, Anthropology & Criminology)
- 2013 Rhys Steckle, "Governing the Drinking Driver: A Genealogical Analysis of Canadian Impaired Driving Programmes" (Faculty of Graduate Studies: Department of Sociology, Anthropology & Criminology)
- 2012 Adam John Pocrnic, "Resource Organization, Mobilization and Control: A South Western Ontario Law Enforcement Perspective" (Faculty of Graduate Studies: Department of Sociology, Anthropology & Criminology)

Supervised Student Papers (Published)

- 2013 Brady Donohue, "Operationalizing *Golden*: Measuring the Efficacy of Judicial Oversight" (2014) 1 *Windsor Rev Legal Soc Issues* - Digital Companion 1
- 2005 Diana Lumba, "Deterring Racial Profiling: Can Section 24(2) of the Charter Realize Its Potential" (2006) 22 *Windsor Review of Legal and Social Issues* 79

Law School and Academic Service

- 2009-2012 Editor, LEAP Blog
- 2004-2015 Gale Moot Coach
 2nd Place Finish and Dickson Medal for Top Oralist (2004)
 Dickson Medal for Top Oralist (2003)
 (Did not coach team in 2010)
- 2003- External peer reviewer for numerous law reviews in Canada
- 2003- Regular commentator on criminal law and related issues for Canadian and American media including CBC Television and Radio, National Public Radio, Toronto Star, Globe and Mail, Windsor Star

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- 2003- Law school committee work including Social Justice Fellowship Committee; Appointments Committee, Academic Status Committee, Student Discipline Committee, Special Events Committee
- 2006 Academic Policy Committee (Senate)
- 2005 Co-organizer of the Alumni Social Justice Fellowship Program
- 2005 Co-organizer of the Fourth Colloquium on the Legal Profession (3 March)

Community Service

- 2011-14 Appointed to Office of the Independent Police Review Director's Resource Committee
- 2010-11 Appointed to Ontario Legal Aid Area Committee (South West Region)
- 2005 Arthur Martin Medal Committee, Academic Representative (Ontario CLA)
- 2004- Member of the Chief Justice of Ontario's Advisory Committee on Professionalism
- 2003-2009 Ontario Legal Aid - Windsor Area Committee
- 2002-2003 Ontario Court of Appeal - Duty Counsel (Inmate Appeals)
- 1997-2003 Ontario Legal Aid - Toronto Area Committee

MEMBERSHIPS

- 1995- Law Society of Upper Canada

REFERENCES

Available upon request

12 January 2018