

MEMBERS OF THE OHIO DEATH PENALTY ASSESSMENT TEAM

Phyllis Crocker, Chair of the Ohio Assessment Team, is Associate Dean of Academic Affairs and Professor of Law at Cleveland-Marshall College of Law at Cleveland State University. She joined the faculty in 1994 and teaches civil procedure, criminal law, criminal procedure, and capital punishment and the law. In Spring 2004, she served as a Visiting Professor of Law at Northeastern School of Law. Previously, Professor Crocker spent five years as a staff attorney at the Texas Resource Center, which represents death row inmates in state and federal post-conviction litigation. She also was an associate at Hartunian, Futterman & Howard in Chicago, Illinois, where she specialized in complex federal litigation, and served as a clerk for Judge Warren J. Ferguson of the United States Court of Appeals for the Ninth Circuit. She currently serves on the Editorial Board of the *Journal of Aggression, Maltreatment and Trauma*. She also has published extensively, including: *Not to Decide is to Decide: The U.S. Supreme Court's Thirty-Year Struggle with One Case About Competency to Waive Death Penalty Appeals*, 49 *Wayne L. Rev.* 885 (2004), *Is the Death Penalty Good for Women*, 4 *Buff. Crim. L. Rev.* 917 (2001), and *Crossing the Line: Rape-Murder and the Death Penalty*, 26 *Ohio N.U. L. Rev.* 689 (2000). She received her B.A. from Yale University and her J.D. from Northeastern University School of Law.

Mark Godsey is a Professor of Law and Faculty Director of the Lois and Richard Rosenthal Institute for Justice/Ohio Innocence Project at the University of Cincinnati College of Law. In this position, Mr. Godsey is an active criminal litigator. He previously taught at Northern Kentucky University College of Law and served as the Faculty Supervisor to the Kentucky Innocence Project. Previously, he served as an Assistant United States Attorney for the Southern District of New York, practiced civil litigation and white collar criminal defense at Jones, Day, Reavis and Pogue, and clerked for Chief Judge Monroe G. McKay of the United States Court of Appeals for the Tenth Circuit. Mr. Godsey received his B.S. from Northwestern University and his J.D. from The Ohio State University College of Law.

Margery Malkin Koosed is the Aileen McMurray Trusler Professor of Law for Public Service at the University of Akron School of Law. Professor Koosed teaches criminal law, administration of criminal justice, and seminars in criminal process and capital punishment litigation. Professor Koosed previously served as Coordinator of the Appellate Review/Legal Clinical Program at the University of Akron and was a Visiting Professor at Case Western Reserve University School of Law. Her scholarly articles have included: *The Proposed Innocence Protection Act Won't - Unless it Also Curbs Mistaken Eyewitness Identifications*, 63 *Ohio St. L.J.* 263 (2002), *Averting Mistaken Executions by Adopting the Model Penal Code Exclusion of Death in the Presence of Lingering Doubt*, 21 *N. Ill. U. L. Rev.* 41 (2001), and *On Seeking and Reseeking Death in Ohio*, 46 *Clev.-Marshall L. Rev.* 268 (1998). She also has served as the coordinator for the Ohio Death Penalty Task Force, as a Commissioner on the State Public Defender Commission, as Chair of the State Public Defender Commission's Committee on Capital Defense Counsel Qualifications, as Acting Judge of the South Euclid Municipal Court, and as a member of the Executive Committee of the Association of American Law

Schools Section on Criminal Justice. Professor Koosed graduated cum laude from Miami University and received her J.D. from Case Western Reserve University.

Geoffrey S. Mearns is the Dean and a Professor at the Cleveland-Marshall College of Law at Cleveland State University. Prior to his appointment as Dean and Professor, Mr. Mearns was a partner in the Litigation Group in the Cleveland, Ohio office of Baker & Hostetler LLP. Mr. Mearns is an expert in white-collar criminal defense and heads the firm's national Business Crimes and Corporate Investigations team. Mr. Mearns was also an adjunct professor at Case Western Reserve University School of Law, where he taught a course on complex federal criminal investigations. Prior to entering private practice in 1998, he worked in the United States Department of Justice in various capacities. As Special Attorney to the United States Attorney General, he assisted with the prosecution of Terry Nichols, one of the two defendants convicted of the Oklahoma City bombing. Mr. Mearns also spent three years as First Assistant United States Attorney for the Eastern District of North Carolina and was an Assistant District Attorney in the Eastern District of New York from 1989 to 1995. While in New York, Mr. Mearns served as Chief of the Organized Crime and Racketeering Section garnering extensive trial experience in complex organized crime cases. He also served as a clerk to Judge Boyce F. Martin Jr. of the United States Court of Appeals for the Sixth Circuit. Mr. Mearns received his B.A. from Yale University and his J.D. from the University of Virginia School of Law.

Judge Michael R. Merz is the Chief Magistrate Judge of the United States District Court for the Southern District of Ohio. First appointed in 1984, he recently began serving his third term. Judge Merz has taught at the University of Dayton School of Law since 1979, where he most recently taught a course on jurisprudence. In 1976, Judge Merz was appointed to the Ohio Municipal Court where he served until 1984. Prior to his first judicial appointment, he had been a partner at Smith & Schnacke in Dayton, Ohio since 1970. He served seven years on the Ohio Supreme Court's Rules Advisory Committee, was the Sixth Circuit Trustee of the Federal Magistrate Judges Association, and was the Chair of the Ohio State Bar Association Judicial Administration Committee. Judge Merz also served as Chairman of the United Way of Greater Dayton, President of the Board of Trustees of the Dayton Public Library, and received the City of Dayton's Outstanding Service Award in 1982. Judge Merz graduated *cum laude* from Harvard University and received his J.D. from Harvard as well.

S. Adele Shank is an attorney in private practice in Columbus, Ohio. Her practice includes representation of capital defendants in trial, appeal, state post conviction, and federal habeas corpus proceedings, as well as representation of counsel in matters relating to attorney-client privilege and ethical matters that arise in the context of criminal representation, the application of international human rights standards in capital cases, and clemency. She headed the legal team that successfully defended against the Ohio Attorney General's challenge to Governor Richard F. Celeste's 1991 grants of commutation to seven death row inmates. *State ex rel. Maurer v. Sheward*, 71 Ohio St.3d 513 (1995). Ms. Shank appeared before the United States Supreme Court to argue *Ohio Adult Parole Authority v. Woodard*, 140 L.Ed.2d 387 (1998), a challenge to Ohio's death

penalty clemency procedures. Ms. Shank is the author of several publications including "The Death Penalty in Ohio: Fairness, Reliability and Justice at Risk," 63 Ohio St. L. J. 371 (2002), "Obligations to Foreigners Accused of Crime in the United States: A Failure of Enforcement," 9 Criminal Law Forum 99 (1998/99), and "Foreigners on Texas's Death Row and the Right of Access to a Consul," 26 St. Mary's L. J. 719 (1995). She was formerly General Counsel to the Ohio Public Defender. Ms. Shank received a B.A. and M.A. from Ohio State University and a J.D. from the Ohio State University College of Law.

Senator Shirley A. Smith is a first-term State Senator representing the City of Cleveland. Senator Smith is the ranking minority member on the Health, Human Services, and Aging Committee, and is a member of the Highways and Transportation, Judiciary-Criminal Justice, and State and Local Government and Veterans Affairs committees. Previously, Senator Smith served four terms as the state representative from the 10th District of Ohio. She is on the Executive Committee of the National Black Caucus of State Legislators' Executive Committee, serves as the Secretary of the Ohio Legislative Black Caucus, and is a member of the Ohio Legislative Women's Caucus, the National Organization of Women, Women in Government, National Black Caucus of State Legislators, and Ohio Legislative Black Caucus. Rep. Smith received her B.A. from Cleveland State University and attended the Kennedy School of Government program for Senior Executives in State and Local Government at Harvard University as a Fannie Mae Foundation Fellow.

David C. Stebbins is a private practice attorney in Columbus, Ohio concentrating on criminal defense. Mr. Stebbins has been in private practice since 1994 and, during that time, he has represented ten defendants facing the death penalty. Previously, Mr. Stebbins served as a staff attorney to the Capital Case Resource Center of Tennessee, was an adjunct faculty member at Capital University School of Law, and spent ten years as Chief Death Penalty Counsel in the Office of the Ohio Public Defender. He also served two years as Executive Director of the Ohio Resource Center, providing representation in death penalty cases that reached the federal court. Mr. Stebbins served on the Committee on the Appointment of Counsel for Indigent Defendants in Capital Cases, taught legal writing at the Cleveland-Marshall College of Law at Cleveland State University, and was a clerk to Judge Thomas J. Parrino of the Ohio Eighth District Court of Appeals. Mr. Stebbins received his B.A. from Denison University, M.A. from Cleveland State University, and J.D. from Cleveland-Marshall College of Law at Cleveland State University.

Congresswoman Stephanie Tubbs Jones, now serving in her fifth term, is the first African-American woman elected to the United States House of Representatives from Ohio. Prior to being elected to Congress, Rep. Jones served as the Cuyahoga County Prosecutor in Ohio. She also served as a Common Pleas and Municipal Court Judge. She obtained her Bachelor's degree in Sociology and Juris Doctorate from Case Western Reserve University. Congresswoman Tubbs Jones is a lifelong resident of the 11th District, which encompasses the East Side and parts of the west side of Cleveland and includes parts of twenty-two municipalities. Congresswoman Tubbs Jones is a strong

advocate for many issues and has championed wealth building and economic development, access and delivery of health care, and quality education for all children. The Congresswoman is the first black woman to chair the Standards of Official Conduct (Ethics) Committee and the first black woman to serve on the Ways and Means Committee where her subcommittees are Healthcare, Oversight, and Social Security.

Judge Craig Wright sits on the Ohio Court of Claims and is a former Ohio Supreme Court Justice. Previously, he was a Senior Partner at Wright, Gilbert & Lewis in Columbus, Ohio. He also served in the United States Army in Counter Intelligence. Judge Wright received a B.A. from University of Kentucky and a J.D. from Yale University.