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(8/5/10)

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EXPERIENCE:

Professor, Dept. of Criminal Justice, Sul Ross State University, Alpine, TX, 1987-. Dept. Chair, 1990-1998, 2001-2006.

Undergraduate Courses: Intro. To C.J., Criminal Law, Correctional Theory, Admin. of Criminal Justice, Community Resources in Corrections, Probation & Parole, Courts & Criminal Procedure, Court Process & Management, Organized Crime, Legal Aspects of Law Enforcement, Seminar on Second Amendment, Correctional Systems & Practices (Prisons & Jails), Senior Seminar, Principals of Evidence & Proof, Constitutional Rights of Prisoners & Detainees, Police Management, Criminology, Texas Criminal Law & Procedure, Civil Liberties, Civil Liberties & Criminal Justice, Victimology, Juvenile Delinquency and various Law Enforcement Academy courses. Graduate Courses: Liabilities and Immunities of Criminal Justice Personnel & Agencies, Rights of Correctional Employees', The Judiciary, U.S. Supreme Court, Second Amendment, Border Search and Seizure, Use of Force, Gun Control, Second Amendment, Police Deviance, Ethics in Criminal Justice, Overview and Administration of Criminal Justice, Firearms and Violence, Programs and Policy in Criminal Justice, Legal Research and Analysis, Graduate Seminar; Law Enforcement Officers Feloniously Killed, Pursuits and Roadblocks.

Major Activities: Chair of Faculty Assembly 1996-1998, Faculty Advisor/Co-advisor for Three Student Criminal Justice Organizations. Academic Organization Advisor of the Year, 1989. Helped start University 4WD club. Director of Criminal Justice Academy, (1997-1998), Interim Director Law Enforcement Academy, 1997. State Certified Law Enforcement Training Instructor, Police Academy Advisory Board 1988-1991

Criminal Justice Trainer, 1987-, Part-time, Provide training for jailers and law enforcement personnel for Sul Ross State Law Enforcement Academy and U.S. Attorney's Office. TCLEOSE Certified Instructor. Former Director of the SRSU Law Enforcement Academy

Courses: Jail Inmate Rights Privileges, Use of Force in a Jail Setting, Cultural Diversity, Legal Updates, Search Warrants, Texas Criminal Procedure, Use of Force, Arrest Search Seizure, Professionalism Ethics, U.S. & Texas Constitution Bill of Rights, Texas Penal Code, Civil Process & Liability, Juvenile Issues, Multiculturalism Human Relations, Victims, Family Violence.

Educational and Editorial Consultant, Part time, 1981 -, Wadsworth Publishing Co., Kennedy-Western University, Sage Publishing Co., and others,. Review manuscripts, Create student study material, Curriculum design, exam construction, etc. for distance learning graduate

and undergraduate courses in criminal justice.

Instructor, 1991-1993, Part time, Midland College Butz Center, Ft. Stockton, TX.

Courses: State and Federal Government I.

Assistant Professor, 1986-1987, Dept. of Criminal Justice, University of Memphis, Memphis, TN.

Courses: Substantive Criminal Law, Constitutional Rights of Prisoners, Principals of Evidence and Proof, Criminal Procedure. Graduate class: The Concept of Criminal Law.

Activities: Helped Start Student Criminal Justice Club.

Attorney, 1985-1986, Solo Private Practice, Civil, Criminal and Juvenile cases, El Paso, TX. Member of Texas and Pennsylvania Bars, Cooperating Counsel El Paso A.C.L.U.

Instructor in Law Enforcement, Correctional Science, Legal Assistant and Business, 1985-1986, Part-time, El Paso Community College, El Paso, TX.

Courses: Constitutional Law, Legal Aspects of Corrections, Legal Research and Writing, Business Law.

Technical and Editorial Consultant and Writer, 1981-1984, Full and Part-time, Criminal and Juvenile Justice and Gun Control. Principal Clients, Grantors, etc.: John Wiley & Sons, Koba Associates, Inc., Pacific Institute for Public Policy Research, Journal of Crime & Justice, Law Enforcement News, Rockhurst College, Kansas City Regional Council on Higher Education, Texas Bar Journal, Second Amendment Foundation.

Assistant Professor, 1980-1983, Chairperson, 1981-1982, Administration of Justice Dept., Rockhurst College, Kansas City, MO.

Courses: Introduction to Criminal Justice, Juvenile Justice, Criminal Procedure, Corrections, Court Administration, Legal Aspects of Criminal Justice, Criminal Law.

Activities: Edited Department Newsletter. Freshman, Pre-Law and Major Advisor.

Instructor in Sociology and Law Enforcement, 1977-1980, Dept. of Sociology, Arkansas State University, Jonesboro, AR.

Courses: Criminal Justice, Criminology, Constitutional Law, Civil Liberties, Criminal Evidence & Procedure, Corrections, Introductory Sociology. Graduate classes: Social Stratification, Seminar in Criminal Behavior

Activities: Helped start 2-year Law Enforcement Degree Program and Legal Careers Association. Pre-Law, Major and Student Organization Advisor.

Assistant District Attorney, 1976-1977, Allentown, Lehigh County, PA. Felony Jury Trials, Preliminary Hearings, Pre-and Post-trial Motions, Appeals, Probation and Parole Revocation, Juvenile and Forfeiture Proceedings.

Certified Law Enforcement Instructor, 1977, Part-time, Allentown Police Academy,

Allentown, PA.

Courses: Civil Rights, Criminal Procedure.

Law Clerk, 1975-1976, Court of Common Pleas of Lehigh County, Allentown, PA. Analyzed Civil and Criminal Matters, Legal Research, Drafted Opinions, Master in Divorce Proceedings and Arbitrator in Civil Disputes.

Instructor, 1975-1976, Part-time, Allentown Business School, Allentown, PA. Income Tax Course.

Law Student Attorney, 1975, Part-time, Philadelphia Public Defender Association, Philadelphia, PA. Municipal Court Criminal Trials, Studied Trial Tactics, etc.

Law Student Intern, 1974, Full and Part-time, PA Department of Justice, Community Advocate Unit, Philadelphia, PA. Legal Research for Civil Rights Case in U.S. District Court, Evaluated Parole Revocation Procedures and Prisoner Complaints, Analyzed and Drafted PA House and Senate Bills.

Law Clerk, 1973-1974, Full and Part-time, Community Legal Service Inc., Philadelphia, PA. Legal research, Interviewed Clients, Drafted Pleadings for Indigents in Civil Cases.

Legal Intern, 1973, Part-time, Legal Aid society of Philadelphia, Philadelphia, PA. Legal Research, Interviewed Clients, Drafted Pleadings for Civil Cases.

Research Associate, 1972, Family Court of Philadelphia, PA. Research Design and Implementation and Program Evaluation on Correctional Group Counseling for Juvenile Offenders. Coordinated Writing of Program Manual, Substituted as Group Counselor. Supervisor for one Research Associate and 2 Secretaries.

Claims Examiner GS-7, 1971-1972, Veterans Administration Regional Office, Philadelphia, PA. Evaluated claims for benefits.

Teaching Assistant, 1969-1970, Department of Sociology, University of Texas at El Paso. Courses: Introductory Sociology, Criminology.

Personnel Psychology Specialist (Research Assistant), 1968-1969, U.S. Army Air Defense Human Research Unit, Fort Bliss, TX. Air Defense Weapons Systems Research, Data Gathering and Analysis. Taught Classes on Aircraft Recognition, Secret Security Clearance. Honorable Discharge.

DEGREES:

Juris Doctor, Temple University School of Law, Philadelphia, PA, 1975. Rank: Top 20%. Temple Legal Aid Society Volunteer, Law Student Member A.B.A. Criminal Justice Section

Committee on Psychiatry and Criminal Law. Dean's List 1974-1975. Major Papers: "An Examination of the Parole Revocation Procedures of the Pennsylvania Board of Probation and Parole" and "Selected Aspects of the Insanity Defense in Pennsylvania".

Master of Arts, Department of Sociology, University of Texas at El Paso, 1971. Thesis: Martial Maladjustment and Personality Dissimilarity. Fellowship and Teaching Assistantship. Student Member American Sociological Association.

Bachelor of Arts, Allegheny College, Meadville, PA., 1967. Major in Sociology, Minor in Psychology. Academic Scholarship. Graduated Cum Laude with Honors in Sociology. Rank 24/345. President College Chapter National Social Science Honor Society. Film Series Committee, Board of Directors of Allegheny Men's Dining Association.

BOOKS, CHAPTERS AND ARTICLES:

Entries on "Qualified Immunity," "Malley v. Briggs," *Pembaur v. City of Cincinnati*," "Excessive Force," Fleeing Felon Rule," "Graham v. Connor," and "Search Incident to Arrest," for Encyclopedia of the Fourth Amendment, CQ Press, 2011 forthcoming)in

"The Legal Bases of Texas Law Enforcement," in Forgotten Offices in Texas Law Enforcement, Ed. L. Rubenser & G. Priddy, University of North Texas Press, 2010 (forthcoming)

Seven entries for the Encyclopedia of the Fourth Amendment, CQ/Sage Pub. Co. 2010 (forthcoming)

"Case Note: Scott v. Harris (2007)," Police Forum, vol. 16 # 3, Aug. 2007, pp. 21-22/

"Liability and the Police," in Encyclopedia of Police Science, 3rd ed., Ed. By Jack R. Greene, Vol. 2, pp. 754-57. New York: Routledge, 2007.

"Ideological and Civil Liberties Implications of the Public Health Approach to Guns, Crime and Violence", Journal of Firearms and Public Policy, vol. 10, Fall, 1998, pp. 111-152. (Available at http://www.saf.org/journal/10_civil.html or <http://www.secondamendmentlibrary.com/10/KESSLER.htm>)

"Prison Snitches" (coauthor) in Encyclopedia of American Prisons, New York: Garland Publishing Co. 1996, pp. 449-451.

"Ideology and Gun Control", Quarterly Journal of Ideology, Vol. 12, No. 2, 1988 pp. 1-14. <http://www.saf.org/journal/other/kessler-id.pdf>

"The Political Functions of Gun Control", pp. 457-487 in Don B. Kates, Jr., ed., Firearms and Violence: Issues of Public Policy. Cambridge, MA: Ballinger Publishing Co., 1984 (based on

article below)

"Empty Barrels Make Most of Gun Control Noise", Law Enforcement News, vol. 10, No. 4 (February 27) 1984, pp. 13, 16.

"Gun Control and Political Power", Law and Policy Quarterly, Vol. 5(July) 1988, pp. 381-400.

"Banning Handguns: Expanding the Presumption of Unfitness", pp.27-37 in Don B. Kates, Jr., ed., Law-Abiding Criminals. Bellevue, Washington: Second Amendment Foundation, 1983.

"The Issue of Gun Control: A Victimless Crimes Analysis", pp. 165-176 in Thomas Draper, ed., The Issue of Gun Control, New York H.W. Wilson Co, 1981 (Report of article below).

"Gun Control: Scientific Evidence and the Burden of Proof", Arkansas Municipal Police Magazine, Vol. 3 (March) 1981, p. 189.

"Enforcement Problems of Gun Control: A Victimless Crimes Analysis", Criminal Law Bulletin, Vol. 16, No. 2 (March-April) 1980, pp.131-149.

The Etiology of Alcoholism: Constitutional, Psychological and Sociological Approaches, (coauthor) Springfield, IL: Charles C. Thomas, Publisher, 1973.

PUBLISHED AND ON-LINE LEARNING AND TEACHING MATERIALS:

Instructor's Test Bank for Banks' Criminal Justice Ethics, Thousand Oaks, Sage, 2008.

Texas Supplement for Lippman's Criminal Law, Thousand Oaks, Sage, 2006, available at <http://www.sagepub.com/lippmanstudy/> (Under Supplements, select "Texas")

Instructor's Resource Manual for Gardner and Anderson's Criminal Evidence, 8th ed., Belmont, CA, Wadsworth, 2006.

Study Guide for Samaha's Criminal Law, 8th ed., Belmont, CA, Wadsworth, 2005

Instructors' Manual for Samaha's Criminal Law, 8th ed., Belmont CA, Wadsworth, 2005.

Study Guide for Neubauer's America's Courts and the Criminal Justice System, 8th ed., Belmont CA, Wadsworth, 2004

Instructors' Manual for Neubauer's America's Courts and the Criminal Justice System, 8th ed., Belmont CA, Wadsworth, 2004

Study Guide for Siegel and Senna's Essentials of Criminal Justice, 4th ed., Belmont, CA: Wadsworth, 2004

Study Guide for del Carmen's Criminal Procedure, 6th ed., Belmont, CA: Wadsworth, 2004

Instructor's Resource Manual for del Carmen's Criminal Procedure, 6th ed., Belmont, CA: Wadsworth, 2004

Hypercontent, Infotrac Exercises, Internet Activities, Learning Objectives, Tutorial Quiz and Updates for Criminal Law, 8th ed. by Gardner and Anderson. Available at http://www.wadsworth.com/cgi-wadsworth/course_products_wp.pl?fid=M18&discipline_number=23 (Select this textbook.)

Course outline, Hypercontent, Infotrac Exercises, Internet Activities and Tutorial Quiz for Criminal Law, 7th ed. by Joel Samaha. Available at http://www.wadsworth.com/cgi-wadsworth/course_products_wp.pl?fid=M18&discipline_number=23 (Select this textbook)

Instructor's Manual for Gardner and Anderson's Criminal Law, 8th ed., Belmont, CA: Wadsworth, 2002

Study Guide for del Carmen's Criminal Procedure, 5th ed., Belmont, CA: Wadsworth, 2001

BOOK REVIEWS

Review of The Evolution of the Fourth Amendment, *Law and Politics Book Review*, Nov. 16, 2009. An electronic publication of the Law and Courts section of the American Political Science Association. Available at <http://www.bsos.umd.edu/gvpt/lpbr/reviews/2009/11/evolution-of-fourth-amendment.html>

Review of Point Blank: Guns and Violence in America in Journal of Criminal Law and Criminology vol. 82, No. 4 (Winter) 1992, pp. 1187-89 (May 1992).

Review of Violence: Patterns, Causes, Public Policy in Journal of Criminal Law and Criminology, Vol. 81, No. 3 (Fall) 1990, pp. 801-803.

Review of The Citizen's Guide to Gun Control in Journal of Criminal Law and Criminology, Vol. 79, No. 2 (Summer) 1988, pp. 541-543. Available at <http://www.saf.org/LawReviews/KesslerReview1.html>

Review of Armed and Considered Dangerous in Journal of Criminal Law and Criminology, Vol. 77, No. 2 (Summer) 1986, pp. 504-506. Available at <http://www.saf.org/LawReviews/KesslerReview4.html>

Review of That Every Man Be Armed in Journal of Criminal Law and Criminology, Vol. 77, No. 1 (Spring) 1986, pp. 260-262. Available at

<http://www.saf.org/LawReviews/KesslerReview3.html>)

Review of Debtor-Creditor Law Manual in Texas Bar Journal, June, 1986, p. 656.

Review of Texas Practice Guide, Vol. II in Texas Bar Journal, April, 1986, pp. 402-403.

Review of Under the Gun in Journal of Criminal Law and Criminology, Vol. 75, No. 1 (Spring) 1984, pp. 314-316. (Available at <http://www.saf.org/LawReviews/KesslerReview2.html>)

Review of Deviant Behavior in Law Enforcement News, Vol. 10, No. 6 (March 26), 1984, p. 1

Review of Police Intelligence Systems in Crime Control in Law Enforcement News, Vol. 9, No. 1 (January 9) 1984, p. 13.

"Two Social Scientists Change Their Minds on Gun Control", Arkansas Municipal Police Magazine, Vol. 5 (January 9) 1984, p. 43-45.

Review of Introduction to Criminal Evidence in Law Enforcement News, Vol. 9, No. 20 (November 21) 1983, p. 11.

Review of Criminal Justice--The Main Issues in Law Enforcement News, Vol. 9, No. 17 (October 20) 1983, p. 11.

Review of Guns Don't Die --People Do in Law Enforcement News, Vol. 8, No. 18 (October) 1979, pp. 14-15.

"Case Note on Search and Seizure: Ybarra v. Illinois", Arkansas Municipal Police Magazine, Vol. 3 (March) 1981, p. 189.

Review of Restricting Handguns in The Prosecutor, Vol. 15, No. 1 (September - October) 1979, pp. 64-65.

Review of Felony Justice in The Prosecutor, Vol. 14, No. 4 (March-April) 1979, pp. 299-300.

MAJOR PAPERS: (some have become articles or chapters above)

"The Supreme Court on Terrorism and Homeland Security," Sul Ross State University, Oct. 2007.

"History of Prisoners' Rights in America," Sul Ross State University, June, 2007.

"Federal Pattern and Practice Litigation," Sul Ross State University, Jan. 2007.

"The Legal Bases of Texas Law Enforcement," Sul Ross State University, Oct. 2005.

"A History of Prisoners' Rights in the United States," Sul Ross State University, Dec. 2004
"Printz v. U.S.": Presented at 1998 Annual Meetings of Academy of Criminal Justice Sciences, Albuquerque, N.M.

"Controlling Police Misconduct Through Civil Litigation", presented at 1997 Annual Meetings of American Society of Criminology, San Diego, CA.

"U.S. v. Lopez: Big Brother Loses One--Finally" presented at 1996 Annual Meetings of Southwest Assn. of Criminal Justice, Tucson, AZ.

"Ideological and Civil Liberties Implications of the Public Health Approach to Crime, Violence and Gun Control" presented at the 1996 Annual Meetings of the Academy of Criminal Justice Sciences, Las Vegas, Nev.

"Teaching a Course on the Second Amendment," Presented at 1992 Annual Meeting of Southwest Association of Criminal Justice Educators, Grand Junction, CO.

"The Second Amendment: Sharpening the Issues," Presented at 1992 Annual Meeting Academy of Criminal Justice Sciences in Pittsburgh, PA.

"Texas Law on Grand Jury Selection and Discrimination: U.S. Supreme Court Cases" (Co-author) Presented at 1990 Annual Meeting of Southwestern Assn. of Criminal Justice Educators in El Paso, TX.

"A Critique of the Collective Security Model," Presented at 1989 Annual Meetings of the American Society of Criminology in Reno.

"The U.S. Supreme Court and Justice Kennedy: Criminal Justice Cases, October Term, 1987", Presented at 1988 Annual Meeting of Southwestern Association of Criminal Justice Educators in Corpus Christi, TX.

"Civilian Justifiable Homicide in the United States: A Critique of the Collective Security Model", Presented at 1988 Annual Meeting of Academy of Criminal Justice Sciences in San Francisco.

"Gun Control: A Symbolic Crusade?" Presented at 1987 Annual Meeting of the Academy of Criminal Justice Sciences in St. Louis, MO.

"Gun Control and Political Power", Research Fellowship, Pacific Institute for Public Policy Research, 1983.

"Banning Handguns: Expanding the Presumption of Unfitness", Presented at 1982 Annual

Meeting of American Society of Criminology in Toronto.

"Criminal Justice and Law Enforcement Curricula: A Review of the Literature and Recommendations", Rockhurst College, 1982.

"The Ideology of Gun Control", Presented at 1981 Annual Meeting of American Society of Criminology in Washington D.C.

"Gun Control: Crimes Without Victims", Presented at Congressional Symposium on Firearms and Violence, Washington, D.C., 1981.

"The Political Functions of Gun Control", Presented at 1980 Annual Meeting of the Mid-South Sociological Association in Little Rock, AR.

Gun Control: A Victimless Crimes Perspective", Presented at 1978 Annual Meeting of American Society of Criminology in Atlanta, GA.

"Criminal Justice: An Ex-Prosecutor's Reflections", Presented at 1977 Annual Meeting of Arkansas Sociological Association in Little Rock, AR.

"Selected Aspects of the Insanity Defense in Pennsylvania", Temple Law School, 1975.

"An Examination of the Parole Revocation Procedures of the Pennsylvania Board of Probation and Parole", Pa. Dept. Justice Community Advocate Unit & Temple Law School, 1975.

FEDERAL APPELLATE BRIEFS JOINED

U.S. v. Emerson, U.S. Court of Appeals for the Fifth Circuit, 2000

District of Columbia v. Heller, U.S. Supreme Court, 2008

McDonald v. City of Chicago, U.S. Supreme Court, 2008

CURRENT MEMBERSHIPS:

Acad. of Criminal. Justice Sciences (Life member), American Society of Criminology (Life Member), Southwestern Assn. of Criminal. Justice, Texas. Assn. of Criminal Justice Educators,

LICENSES/CERTIFICATIONS:

Texas and U.S. District Court for Eastern District of Pa. Bars.

Texas Comm. on Law Enforcement Officers Standards and Education Instructor Certificate. Pa.

Municipal Police Officers Education and Training Comm. Instructor Certificate.

PERSONAL:

Veteran U.S. Army, 1967-1969, Honorable Discharge. Good Health, 6' tall, 195 pounds, married.