

JACQUELINE E. ROSS
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Employment

Professor of Law, University of Illinois College of Law (2006-present); **associate professor** (2004-2006)

Visiting Professor of Law, Columbia University Law School (Fall 2008)

Visiting Researcher and Fulbright Research Fellow, Ecole Normale Superieure de Cachan [France] (2007-2008)

Assistant Professor of Law, John Marshall Law School (2001-2004)

Visiting Assistant Professor of Law, University of San Diego School of Law (fall semester, 2000), and **Indiana University School of Law, Indianapolis** (spring semester, 2001).

Assistant United States Attorney, Northern District of Illinois (Chicago), 1990 to 2000; District of Massachusetts (Boston) (1995-96)
• Special Achievement Award, U.S. Department of Justice (1994).

Law Clerk, Honorable Douglas H. Ginsburg, United States Court of Appeals for the District of Columbia Circuit (1989-1990)

Education

University of Chicago Law School, 1986-1989

- J.D. with honors (1989)
- Articles Editor, University of Chicago Law Review (1988-89)

Cornell University Graduate School, Ph.D. candidate in philosophy (1985-86)

- Sage Fellowship recipient (1985-86)

Indiana University, Bloomington, School of Music (Opera Program) (1984-85)

University of Chicago, 1981-84; B.A. with honors (1984)

- Editor, Romance Language Review (1983)

Publications and Publications Pending

- “Police Informants as Ethnographers: Privatized Surveillance and the Ambiguities of Participant-Observation,” in Private Security, Public Order: Governance and Limits, ed. Simon Chesterman and Angelina Fisher (NYU Press, 2009) (forthcoming).
- “Do Rules of Evidence Apply (Only) in the Courtroom? Deceptive Interrogation in the United States and Germany,” Oxford Journal of Legal Studies 28 (2008): 443-474.
- “Undercover Policing and the Shifting Terms of Scholarly Debate: The United States and Europe in Counterpoint,” Annual Review of Law and the Social Sciences 4 (2008): 17.1-17.35.
- “The Elusive Line between Preventive and Repressive Undercover Investigations in Germany: An Empirical Study,” in Police and the Liberal State, ed. Markus Dubber (Stanford University Press, 2008)
- “The Place of Covert Policing in Democratic Societies: A Comparative Study of the United States and Germany,” American Journal of Comparative Law 55 (2007): 493-579
- Review of: Jacqueline Hodgson, French Criminal Justice: A Comparative Account of the Investigation and Prosecution of Crime in France, in American Journal of Comparative Law 55 (2007): 370-79.
- “The Entrenched Position of Plea Bargaining in United States Legal Practice,” American Journal of Comparative Law 54, Supplement (June 2006)
- “La Disciplina degli Indagini Sottocopertura: il Confronto fra le Prospettive Statunitense ed Italiane” [“The Regulation of Undercover Investigations: A Comparison between American and Italian Approaches”], Diritto e Giustizia [Law and Justice [Italy]] (March, 2006) (in Italian)
- “Induzione al Reato e Garanzie Processuali negli Stati Uniti e l’Italia” [“Entrapment and Procedural Rights in the United States and Italy”], in Giurisprudenza di Merito (February, 2006) (in Italian)
- “Germany’s Federal Constitutional Court and the Regulation of GPS Surveillance,” German Law Journal 6 (12) (online, 2005)
- “Mathieu Deflem and the Historical Development of Police Cooperation in Europe and the Americas,” appearing in “Book Symposium: Policing World Society,” Law Enforcement Executive Forum 4 (2005)
- “Impediments to Transnational Cooperation in Undercover Policing: A Comparative Study of the United States and Italy” American Journal of Comparative Law 52 (2004): 569-624

“Valuing Inside Knowledge: Police Infiltration as a Problem for the Law of Evidence,” for Symposium issue on “‘Law &’: Philosophical, Psychological, Linguistic and Biological Perspectives on Legal Scholarship,” eds. Richard Warner and Claire Hill, Chicago-Kent Law Review 79 (2004): 1111-1149

“Tradeoffs in Undercover Investigations: A Comparative Perspective,” University of Chicago Law Review 69 (2002): 1501-1541 (review essay)

“Damned Under Many Headings: The Problem of Multiple Punishment,” American Journal of Criminal Law 29 (2002): 245-327

“What Makes Sentencing Facts Controversial? Four Problems Obscured by One Solution,” Villanova Law Review 47 (2002): 965-988

“Unanticipated Consequences of Turning Sentencing Factors into Offense Elements: The Apprendi Debate,” Federal Sentencing Reporter 12 (2000): 197-202

Work-in-Progress

“Les Infiltrations Policières Depuis la Loi Perben II,” [Undercover Policing Since Passage of the Perben II Law], solicited by Droit et Société (forthcoming, 2009) (in French)

Academic Prizes

Edward M. Wise Prize, conferred by the American Society of Comparative Law (2005) (for “Impediments to Transnational Cooperation”)

Carroll P. Hurd Award for Excellence in Faculty Scholarship, conferred by the University of Illinois College of Law (2008) (for “Place of Covert Policing in Democratic Societies”)

Conferences Organized

Co-Organizer with Thierry Delpuech [Centre National de Recherche Scientifique (CNRS)] of a transatlantic seminar series on Transnational Intelligence and Policing in Immigrant Communities: The first two seminars in this series took place at the Institut D’Études Politiques de Paris in October 2007 and January 2008. The third and fourth will take place in June 2008 at the Institut D’Études Politiques de Paris and in March 2009 at the University of Illinois College of Law. The seminar series will culminate in a conference to be held at the CNRS in 2010. Papers presented at this final seminar will be published in an edited volume.

Co-Founder and Co-Director (with Mathias Reimann and Kim Lane Scheppele) of the Michigan-Illinois-Princeton Workshop: Comparative Law Work in Progress. This was begun in

spring 2006. Alternating each year between the University of Michigan Law School, Princeton University, and the University of Illinois College of Law, the Workshop provides a venue for authors to receive commentary on research in comparative law. This Workshop is co-sponsored by the American Society of Comparative Law.

Organized: “Undercover Policing and Emerging Enforcement Powers: Perspectives from Two Sides of the Atlantic,” held at the University of Illinois College of Law (March 11 and 12, 2005). The conference brought together law professors, sociologists, criminologists, and political scientists from the United States and Europe to assess recent innovations in transnational policing strategies.

Competitive Fellowships and Grants

\$350,000 grant from the Agence Nationale de Recherche (ANR) of France to fund a research project with legal sociologists at CNRS (Centre Nationale de Recherche) comparing policing strategies in the immigrant communities of France and the United States. The project examines how the police acquire and analyze information about immigrant communities and how these modes of obtaining intelligence shape security policy and crime control practices.

Fulbright research fellowship to France (2007-2008)

German Academic Exchange Service (DAAD) Research Visit Grant (Spring 2004) (awarded to fund trip to Germany to interview undercover agents, prosecutors, and judges)

Papers and Comments

“Policing the Immigrant Communities of France,” University of Chicago, Paris branch (May, 2008)

“Police Informants, Undercover Journalists, and Ethnographers: Privatized Surveillance and the Ambiguities of Participant-Observation,” workshop on “Private Security, Public Order: Governance & Limits,” New York University Law School (April 2008).

“Covert Actions and Intelligence-led Logic,” at seminar on Antiterrorism, Risk and Intelligence-Led Logics,” Institut D’Études Politiques de Paris (December 2007)

“Hypothèses de recherche concernant les activités d’intelligence territoriale en France et aux États-Unis” [Research hypotheses about territorial intelligence in France and the United States]

- Seminar on Transnational Intelligence and Policing in Immigrant Communities, Institut D’Études Politiques de Paris (January 2008).
- University of Chicago, Paris branch (May 2008)

“Les differentes perspectives juridiques sur les infiltrations policières: les Etats-Unis, l’Italie, l’Allemagne, et la France,” (Different Legal perspectives on Undercover Policing: The United States, Italy, Germany, and France)

- Ecole Nationale de la Magistrature, Paris (December 2007).
- Université de Paris X, Nanterre (March 2008).

Commentator, seminar on Transnational Intelligence and Policing in Immigrant Communities, Institut D’Études Politiques de Paris (October 2007)

“Le indagini sottocopertura in Germania e negli Stati Uniti,” (Undercover investigations in the United States and Germany) at workshop on “The political impacts of security policies,” Dipartimento Scienze Antropologiche-Facolta di Scienze della Formazione, Università degli Studi di Genova (June 2007).

“German Interrogation Norms as Rules of Evidence,” University of Colorado (October 2006).

“The Elusive Line between Preventive and Repressive Undercover Investigations in Germany: An Empirical Study,” at workshop on The New Police Science: The Police Power in Domestic and International Governance, SUNY Buffalo Law School (June 2006)

Commentator on Panel: “Establishing an Adversarial Criminal Procedure System in Italy — Shifting from a Centuries Old Non-Adversarial Procedure to an Adversarial Model,” Second Italian-American Congress of Comparative Law, Pennsylvania State University, Dickinson School of Law (April 2006)

“Methods of Teaching Comparative Criminal Procedure,” at “Workshop on Integrating Transnational Perspectives into the First Year Curriculum,” Association of American Law Schools, Annual Meeting (January 2006)

“The Place of Covert Policing in Democratic Societies: A Comparative Study of the United States and Germany”

Presented at:

- Faculty workshop, Columbia Law School (January 2007)
- New Voices in Legal Scholarship Faculty Workshop (January 2007)
- Criminal Justice Roundtable, University of Chicago Law School (May 2006)
- Michigan-Illinois Workshop: Comparative Law Work in Progress, University of
- Comparative Law Workshop, Yale Law School (September 2005)
- Association of American Law Schools, Annual Meeting (January 2006)
- Young Criminal Law Professors’ Workshop, George Washington University Law School (July 2005)
- Law and Society Association Annual Meeting (June 2005)
- Faculty retreat, University of Illinois College of Law (May 2005)

“Impediments to Transnational Cooperation in Undercover Policing: A Comparative Study of the United States and Italy.” Presented at:

- American Bar Foundation Seminar (March 2004)

- Institute for Legal Studies, University of Wisconsin Law School (September 2004)
- Research Committee on the Sociology of Law (RCSL), Annual Meeting (organized jointly with the European Network of Law and Society and the French Sociological Association) (Paris, July 2005).

“Valuing Inside Knowledge: Police Infiltration as a Problem for the Law of Evidence,”

Presented at:

- Symposium on “‘Law &’: Philosophical, Psychological, Linguistic and Biological Perspectives on Legal Scholarship,” Chicago-Kent Law School (October 2003)
- University of Chicago Academic Law Workshop (October 2003)

“Induzione al Reato e Garanzie Processuali negli Stati Uniti e l’Italia” [“Entrapment and Procedural Rights in the United States and Italy”], presented at a conference on “La Giustizia tra Riforma Processuale e Riforma Ordinamentale” [“Justice and Reform in Criminal Procedure”], Palermo, Italy (June 2003)

Discussant, Roundtable on Consent in Colorado Springs, sponsored by the Program in Law & Philosophy of the University of Illinois (October 2004)

Chair of panel, “Crime and Punishment,” Midwest Law and Society Retreat (September 2004)

Chair of panel, “From the Streets to the Courts: Criminal Process and Civil Commitment,” Conference on “The Liberal State and Its Mental Health Power,” University of Wisconsin Law School (April 2003)

“The Legal Status of Covert Surveillance in the United States and Italy,” Workshop at the Law Faculty, University of Turin [Italy] (May 2002)

“The Problem of Multiple Punishment: Double Jeopardy, Double Counting, and the U.S. Sentencing Guidelines.” Presented at:

- University of Chicago Academic Law Workshop (January 2002)
- University of San Diego School of Law (December 2000)

“What Makes Sentencing Facts Controversial? Four Problems Hidden Within One Solution,” Symposium on “New Voices on the War on Drugs,” Villanova University School of Law (October 2001)

Professional Activities

Member of year-long seminar on national security and policing, Institut National des Hautes Études de Sécurité [National Institute for Advanced Studies in Security], French Ministry of the Interior (2007-2008) (competitive selection process)

Development of training course on undercover policing with Police Training Institute, University of Illinois (2006-)

National reporter on plea bargaining, International Academy of Comparative Law (Utrecht, 2006)

Participant, Law and Society Association Summer Institute (University of California, Berkeley, June 2003) (competitive selection process)

Fellow, Seminar in Criminal Justice, University of Chicago Law School (2002) (invited fellow for midwest area faculty workshop on criminal justice)

Evaluator of article manuscripts for: Law and Society Review and Law and Philosophy Review

Languages: Fluent in German, French, Italian, and Spanish. Language experience includes:

- German Instructor, Lyric Opera of Chicago (1984)
- Proficiency Degree in Spanish, Universidad Internacional Menendez Pelayo, Santander, Spain (1983)
- French Interpreter, International Communications Conference, Community and Family Study Center, Chicago (1981)
- Studied French Literature and Philosophy, Universite de Paris (Paris VI) (1980-81)

Member of Illinois Bar since 1989

Teaching

Courses Offered: Evidence, Criminal Law, Criminal Procedure, Civil Procedure.

Other areas of Teaching Interest: Comparative Law, Comparative Criminal Procedure