

DOUGLAS EVAN BELOOF

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CURRICULUM VITAE

Education:

B.A., University of California, Berkeley, 1978.

J.D., Lewis & Clark Law School, 1982.

Academic:

Professor of Law (2004- Present).

Associate Professor of Law, Lewis & Clark Law School (2000-2004).

Teach “Victims in Criminal Procedure” to law students. Speak nationally and publish scholarly works on crime victim law. Additional subjects taught include criminal law and procedure courses, evidence, torts, civil procedure, remedies.

Director, National Crime Victim Law Institute (1997-present).

Direct the National Crime Victim Law Institute (NCVLI), which does national appellate work on crime victim issues. The Institute performs research and maintains a database and brief bank on victim law and promotes the legal education of law students, lawyers, judges and victim advocates on victim law issues. NCVLI sets up free legal clinics for crime victims in the states.

Visiting Law Professor, Lewis & Clark Law School (1995-99) (See description of duties above).

Adjunct Professor, Portland State University, Criminal Justice Department (1993 and 1994).

Taught “Victims and Victimizer” course, which explored issues of victimization, definitions of victims, victimless vs. victim crimes.

Practice of Law:

Appellate Litigator (1999-Present)

National appellate litigation concerning victim law issues as the Director of the National Crime Victim Law Institute.

Private Practice (1996-98)

Tort law, including representing crime victims as plaintiff's in civil suits; criminal defense.

Deputy District Attorney, Multnomah County, Oregon (1982-87, 1991-93).

This county comprises the metropolitan area of Portland, Oregon. Prosecuted crimes including drunk driving, domestic violence, child abuse, sexual assault and homicide.

Associate, Bittner & Barker, P.C. (1987-88).

Insurance defense, professional malpractice defense.

Judicial Clerk:

Clerk, Justice Tongue, Oregon Supreme Court (1981).

Reviewed petitions for certiorari and drafted opinion memoranda.

Victim Services:

Member, Victim's Advisory group to United States Sentencing Commission. (2008-).

Member, Oregon State Board of Education Oversight Committee on Sexual Assault. (2008-)

Chair, Oregon Attorney General's Task Force On Victims' Rights Compliance (2005-2008).

Director, National Crime Victim Law Institute (1997- Present) (Details above under 'Academic').

Director, Multnomah County Victim Assistance Program (1988-90).

Provided assistance to crime victims, worked on the formation of domestic violence units and multi-disciplinary child abuse teams, managed a large staff and many volunteers

Member, National Victims Constitutional Amendment Network.

Legal Expert, National Parents of Murdered Children.

Oregon Attorney General, Victim of Crime Act Advisory Committee (1997-2002).

Member, Consortium of Victim Assistance Experts for Office of Victims USDOJ of Crime Training and Technical Assistance Center (2003-05).

Judicial:

Pro tem District and Circuit Judge, Multnomah County, Oregon (1997-98).

Awards & Honors:

National Service Award given by the United States Attorney General for Professional Innovation in Victims' Services (2005).

One of 10 top Oregon "Pioneers" and one of Oregon's "50 Top Leaders" for 2006, Oregon Business Magazine

NOVA award for Research in Victimology, for the book VICTIMS IN CRIMINAL PROCEDURE (1999).

Award for Contributions to End Drunk Driving, Oregon MADD (1989).

Congressional & Other National Testimony:

United States Congress House Judiciary Committee, Subcommittee on Criminal Justice. (2009).

United States Judicial Committee on the Federal Rules of Criminal Procedure. (2007).

United States Congress, House Judiciary Committee on the Constitution. Concerning the propriety of the Crime Victims Rights Amendment (2003).

United States Congress, House Judiciary Committee on the Constitution. Concerning the propriety of the Crime Victims Rights Amendment (1999).

United States Advisory Committee to the Federal Rules of Evidence. Concerning the inequities to crime victims of FRE 404. (1999).

Academic Presentations:

Thomas Jefferson Law School. Presenter. Symposium entitled: Confronting Domestic Violence. My Topic was Domestic violence and Evidence. Feb. 2009

Lewis & Clark Symposium on the ConFrontation Clause: *Giles v. California*. My topic was The Presumptive Inference of the Concurrence in *Giles*. Jan, 2009.

Stanford Law School. Presenter, Symposium on Victims entitled: Rights Needs and Power: the Victim in Criminal Justice. My Topic was the victims' right to fairness. (January 2008)

Utah College of Law. Two different presentations. First, a lecture with question and answers about domestic violence and victims rights. Second, presentation to the faculty about the Federal Rules of Criminal Procedure under the Crime Victims' Rights Act. (Spring 2007).

McGeorge Law School. Opening keynote speaker at a two day conference entitled Crime Victims Rights: The Third Wave. I spoke on standing for the enforcement of victims rights, the state of the law in the nation, with particular emphasis on California law. (Spring 2007)

Lewis & Clark Law School, Symposium, Modifying *Linda R.S. v. Richard D.* (Spring 2005).

National College of District Attorneys, University of South Carolina: Victim Standing (Fall 2004).

Suffolk Law School: “Reforming to Win: Rape Shield Laws as Crime Victim Rights.” (Spring, 2004).

University of Oregon Law School: “Current Challenges for Victim’s Rights.” Wayne Morse Program at the University of Oregon. (Fall, 2002). A Debate with Robert Mosteller of Duke Law School.

McGeorge School of Law: “Enforcing Victims’ Rights in Criminal Court- The Next Challenge.” (Spring, 2002).

Cornell Law School: “Victim Sentencing Recommendation in Death Penalty Cases is Constitutional.” (Winter, 2002).

St. Louis Law School: “The Third Model of Criminal Process: The Victim Participation Model.” Address to faculty, students, and victim advocates. (Spring, 2001).

Denver Law School: “Victims in Criminal Procedure.” Address to Denver law faculty. (Spring, 2000).

University of Utah College of Law: “The Third Model of Criminal Procedure: The Victim Participation Model.” (Fall, 1999).

Faculty Colloquia:

Enabling Rape Shield Procedures under Crime Victims’ Constitutional Privacy Rights (Fall, 2005).

The Third Wave of Crime Victims’ Rights (Spring, 2004).

The History of Victims in Criminal Trial Courts (Fall, 2004).

The Constitutionality of Victim Sentencing Recommendations (Spring, 2002).

Let the Truth Be Told: Proposed Hearsay Exceptions to Admit Domestic Violence Victims Out of Court Statements as Substantive Evidence (Spring, 2001).

Non-Academic Training and Presentations:

National Association of Women Judges Conference: Keeping the Promise to Victims-The Emerging Role of Victims in Criminal Cases (2008).

Illinois Attorney General’s Victim Law Roundtables, Keynote Speaker (Spring 2008).

New Mexico Prosecutors’ Conference (Fall 2005).

Wyoming Victims Services Conference (Summer 2005).

Arizona Attorney General’s Office training on Victim Law (Spring 2005).

Tribal Nations Conference on Native American Victims, Tribal Law and Policy Institute. Panel on HB5107. (Winter 2004).

4th (2005), 5th (2006), 6th (2007), 7th (2008), 8th (2009) National Crime Victim Law and Litigation Conference. Presented on various topics.

3rd Annual National Crime Victim Law Institute Crime Victim Law and Litigation Conference, Portland, Oregon. Opening plenary on the legal connections between the crime victim movement and sexual assault victims. Presented in conjunction with Lyn Schollett, General Counsel for the Illinois Coalition Against Sexual Assault. Also presented “Appeal and Review”, describing the use of interlocutory appeal, victim direct appeal of rights violations, and unlawful breaches of confidentiality. (Summer, 2004).

2nd Annual National Crime Victim Law Institute Crime Victim Law and Litigation Conference, Portland, Oregon. One of six panelists on the “Year in Review Panel,” which discussed significant crime victim cases in 2003. Presented on “Review Appellate Courts”; “Challenging the Prosecutor’s Decision Not to Charge”; and the “Crime Victims Constitutional Amendment.” (Summer, 2003).

Office for Victims of Crime, USDOJ. Presentations at Victims Roundtables. These roundtables brought together leaders in the victim field to consult with OVC on the needs of crime victims. I presented on the Institute and what we do. (Fall, 2002 and Spring, 2003).

1st Annual National Crime Victim Law Institute Crime Victim Law and Litigation Conference, Portland, Oregon. Presented on “Case and Controversy Requirements in Victim Law”, “Victims at Sentencing,” and “Challenging the Prosecutors Decision Not to Charge.” (Summer, 2002).

15th Annual Utah Crime Victims Conference: Emerging Legal Issues in Victims Rights. (Spring, 2002).

ABA, Conference on Integrating Domestic Violence into Law School Curriculum, presenter. winter, (2001).

Annual Conference Idaho, Victim Assistance Network. Presented “Crime Victim Law 101” (Spring, 2001).

National Organization of Victims Assistance, Annual Conference. Presented “Crime Victim Law 101” (Summer, 2000).

Annual Conference Oregon Victim Assistance Network. Keynote Speaker (Spring, 2000).

Publications:

Books:

VICTIMS IN CRIMINAL PROCEDURE (First Edition, Carolina Academic Press 1999), a casebook for law students. (Winner NOVA book award).

VICTIMS IN CRIMINAL PROCEDURE (Second Edition, Carolina Academic Press 2006), with co-authors Federal District Judge Paul Cassell and Steve Twist a casebook for law students.

Law Reviews:

1. The Third Model of Criminal Process: The Victim Participation Model, 1999 Utah Law Rev. 289 (1999).
2. Essay: Crime Victim Rights: Critical Concepts for Animal Rights. 7 Animal Law Journal 19 (2001).
3. Let The Truth Be Told: Proposed Hearsay Exceptions to Admit Domestic Violence Victims' Out of Court Statements as Substantive Evidence, 11 Columbia Journal of Law and Gender 1 (2001) (with Joel Shapiro).
4. Constitutional Implications of Crime Victims as Participants, 88 Cornell L. Rev. 282 (2003).
5. Essay: Enabling Rape Shield Procedures under Crime Victims' Constitutional Privacy Rights. 38 Suffolk Law Rev. 291 (2005)
6. The Third Wave of Crime Victims' Rights: Standing, Remedy, and Review, 2005 BYU L. Rev. 255 (2005).
7. The Crime Victim's Right to Attend the Trial: The Reascendant National Consensus, 9 Lewis & Clark Law Review 481 (2005)(with Paul Cassell).
8. Judicial Leadership at Sentencing under the Crime Victims' Rights Act: Judge Kozinski in Kenna and Judge Cassell in Degenhardt, 19 Fed. Sent. Rep. 36 (Oct. 2006).
9. Weighing Crime Victims' Interests in Judicially Crafted Criminal Procedure, 56 Cath. L. Rev. 1135 (Summer 2007).
10. Dignity, Equality, and Public Interest for Defendants and Crime Victims in Plea Bargains: A Response to Professor Michael O'Hear, 91 Marquette Law Review, 349 (Fall 2007).
11. Making Constitutional the Permissive Inference in *Giles v. California*: Changing the Intent to Silence from "Purposely" to Knowingly." 13 Lewis & Clark Law Review 697 (Fall 2009).

Practice of Law Materials:

Victims Rights, Chapter in CRIMINAL LAW & PROCEDURE, Oregon State Bar, 1995 & 1998.

Legal Forms for Victims Rights Lawyers to Enforce Victim Laws in Arizona, Arizona Voices for Victims. (1999)

Opinion Editorials:

Victims Worthy of a Seat, Oregonian, Sunday Forum, June 8, 1997.

Significant Legislation:

Worked on federal Crime Victims Rights Act, enacted October 2004. The Bill provides rights, remedy and review for crime victims. Summer/Fall 2004

Work on Oregon HJR's 49 & 50 to provide crime victims standing to enforce their state constitutional rights. Enacted May 2009.

Oral Arguments:

Nascvi v Pope, (2006) Resulted in a mandamus order, rather than opinion. Argued in front of the New Mexico Supreme Court, that a victim has standing to enforce their New Mexican constitutional right to attend the trial in both trial and state supreme court. The case involved implied standing and remedy from a constitutional right. We won.

In re John Z, 60 P.3d 183 (2002). The California Attorney general gave me 20 minutes of their 1/2 hour to argue in front of the California Supreme Court that a rape victim can be legally raped if she withdraws consent during the rape and sexual intercourse continues. The case involved interpretation of a California rape statute. We won.

State v. Gomez, 63 P3d 72 (2002) Argued in front of the Utah Supreme Court concerning the state evidentiary privilege of rape victim crisis counseling records. The Case involved federal and state constitutional limits on privilege. We mostly won.

Consultant:

United States Department of Justice, Office for Victims of Crime: Appointed Expert Consultant to this Government Agency. 2003 –05.

Memberships:

Committee Member: Crime Victim subcommittee, American Bar Association, Criminal Justice Group.