

Disclosure as to Expert Witness Dr. David J. Ley

October 21, 2024

I. Statement of Opinions, Bases, and Reasons

The following is a complete statement of all opinions that the Defendants will elicit from Dr. David Ley, along with the bases and reasons for them.

Dr. David J. Ley is a board-certified clinical psychologist and a board-certified sex therapist and supervisor of sex therapy. He is the author of numerous books and articles on human sexuality and psychology, as well serving on the Advisory Board of The Sexual Health Alliance where he provides supervision and training to hundreds of future sex therapists each year. Dr. Ley is appointed to the Editorial Board of The Archives of Sexual Behavior. His qualifications are discussed in greater detail below.

Dr. Ley is expected to offer his expert opinions on the scientific effects of Orgasmic Meditation, the potential benefits of Orgasmic Meditation, and the relationship of Orgasmic Meditation to existing sexual therapeutic techniques as well as to historical spiritual practices, as specifically identified below.

Based on his long experience working with sexual offenders, Dr. Ley will offer opinions concerning the subject matters of coercive behaviors and grooming in response to the government's expert Dr. Rhagavan. Dr. Ley will testify that there remain no well-validated, normed assessments to objectively or consistently measure "coercive control" or grooming.

Dr. Ley will also refute the contention that that Onetaste, Cherwitz and Daedone targeted vulnerable individuals by engaging in grooming or coercive behaviors consistent with that of sexual predators.

A. Scientific Research on Orgasmic Meditation

Dr. Ley will review and discuss the body of scientific research that has examined the practices, effects and outcomes of Orgasmic Meditation. At this time, a search for "orgasmic meditation" in the Google Scholar database yields one hundred and thirty-three publications involving the practice. These studies have assessed the experiences of persons engaging in OM, measured the psychological, physiological and neurological effects of OM, assessed the impact of OM on personal and relational well-being, and examined the experiences of OM practitioners within the context of feminist and spiritual practices. Dr. Ley will discuss a selection of some of the

research which has been conducted on OM which may include but is not limited to, the below studies and topics:

Meditation and the Brain: A great deal of past and present psychological and neurophysiological research examines the effects of various forms of meditation on the human brain.¹ The research suggests that OM meditation, is likely to result in similar neurological markers to other forms of meditation, though, given the sexual components, there may be effects related to sexual stimulation.

Newberg, et al. (2021) also conducted a study using functional magnetic resonance imaging (fMRI) to measure the brain activities of pairs of participants shortly after they engaged in OM, compared to their brain activity following a neutral activity. fMRI is a specific type of brain scan which reveals brain activity during different tasks and activities. Analysis of these fMRI results found elevations in functional connectivity in numerous areas of the brain following OM, compared to neutral conditions. Functional connectivity is a measure of the activation levels of different areas of the brain during or following certain activities, indicating the potential ways these different areas of the brain activate together, or in parallel, in order to process different unique activities. In this study, Newberg, et al. found complex areas of the brains were activated, with similarities to the effects of both meditation and sexual stimulation and orgasm, suggesting that OM may have a complex, integrated effect on the brain.²

Newberg, et al. (2024) conducted positron emission tomography (PET) exams of the brains of forty individuals with extended history of engaging in OM. PET exams measure the metabolic activity of the brain. These results were compared to PET studies of nineteen control participants without a history of OM, or any history of other forms of meditation. Both control and experimental groups excluded individuals with histories of medical, psychological or neurological conditions which may have impacted results. Results found that OM practicing participants showed lower levels of metabolic activity in the brain at rest, compared to non-meditating controls. The arrears of the brain where such lower metabolic states were noted are generally associated with emotional regulation and attention. It was noteworthy, given the nature of OM where the female receives the manual stimulation, that males and

¹ For recent review, see: Abellana-Pérez K, Potash RM, Pascual-Leone A, Sacchet MD. Neuromodulation and meditation: A review and synthesis toward promoting well-being and understanding consciousness and brain. *Neurosci Biobehav Rev.* 2024 Nov;166:105862. doi: 10.1016/j.neubiorev.2024.105862. Epub 2024 Aug 24. PMID: 39186992.

² Newberg AB, Wintering NA, Hriso C, Vedaei F, Stoner M and Ross R (2021) Alterations in Functional Connectivity Measured by Functional Magnetic Resonance Imaging and the Relationship With Heart Rate Variability in Subjects After Performing Orgasmic Meditation: An Exploratory Study. *Front. Psychol.* 12:708973. doi: 10.3389/fpsyg.2021.708973

females showed different patterns of neurological metabolism, correlated with history of OM. These findings suggest a tentative hypothesis of distinct neurological effects from OM, depending on sex and OM role. Results in this study did not reveal findings immediately consistent with neurological findings consistent with sexual activity, which led the authors to hypothesize that OM's potential effects were more related to meditation than sexual stimulation.³

Arousal and OM: Physiological arousal is most often associated with strong positive and negative emotions. Lower levels of physiological arousal are somewhat rarely associated with stronger positive feelings. However, in a study of ninety-three participants engaging in OM, half demonstrated low levels of physiological arousal, measured by skin conductance response (a measure of the skin conductance of electricity, reflecting the effect of perspiration). Almost all of the participants reported sustained positive feelings during the OM activity. This study is a relatively unique demonstration of high positive affect during low physiological arousal state, yielding a nuanced understanding of the psychology related to forms of meditation and sexual stimulation and showing it is possible to have strong positive affect in the absence of elevated physical arousal.⁴

A study using OM activity yielded data which contribute a novel and unique test of the effects of pornographic film viewing on sexual arousal. Prause and Siegle (2021) again measured skin conductance during OM, this time with two-hundred and fifty participants. In addition, they assessed feelings of sexual arousal before and after the OM, as well as the individual's history of viewing of pornography and concerns about their sexual behaviors. It is commonly asserted that excessive viewing of pornography leads to a decrease in feelings of sexual arousal to "real life" sexual partners, as a result of a form of "tolerance" to sexual stimulation.⁵ Studies of the alleged effects of pornography are overwhelmingly limited by reliance on self-report and laboratory studies are extremely rare in the field. Prause and Siegle found that individuals who reported greater past difficulties with sexual self-control or excessive sexual behaviors did not report different levels of sexual arousal than others. Further, individuals with higher past viewing of pornography actually reported higher levels of sexual arousal, not lower, as would be hypothesized by a tolerance effect. In addition, the physiological measure of skin conductance yielded similar results, showing higher physiological arousal in individuals with greater past viewing of pornography. Psychological studies observing and measuring participants during actual sexual activity are quite rare in today's scientific research, and this study allowed a

³ Newberg AB, Wintering NA, Hriso C, Vedaei F, Gottfried S and Ross R (2024) Neuroimaging evaluation of the long term impact of a novel paired meditation practice on brain function. *Front. Neuroimaging* 3:1368537. doi: 10.3389/fnimg.2024.1368537

⁴ Siegle GJ, Prause N. Intense positive affect without arousal is possible: Subjective and physiological reactivity during a partnered sexual meditative experience. *Int J Psychophysiol.* 2022 Aug;178:99-107. doi: 10.1016/j.ijpsycho.2022.06.009. Epub 2022 Jun 21. PMID: 35750269.

⁵ Ley, David, Prause, Nicole, Finn, Peter. (2014) The Emperor Has No Clothes: A Review of the "Pornography Addiction" Model, *Current Sexual Health Reports.* DOI 10.1007/s11930-014-0016-8.

powerful and unique opportunity to test and reject an erroneous clinical belief about human sexuality.

B. Potential Benefits of OM

Dr. Ley will testify that OM has a likelihood of producing positive effects on a number of psychosexual disorders and disparities, to include, but not limited to: increasing relational and emotional closeness between intimate and non intimate partners; addressing gender disparities in sexual pleasure and orgasm; relieving sexual symptoms of historical trauma. Contrary to the government's assertion that defendants targeted persons with histories of trauma and used OM to exploit them, Dr. Ley will testify that OM is an intervention with substantial likelihood of increasing sexual function and confidence in trauma victims.⁶ Dr. Ley is expected to testify that OM is consistent with recent and established published research on the overall health impacts of female orgasm and mutual orgasm.⁷

Increased Closeness Through Intimate Touch: Prause, Siegle and Coan (2021) assessed feelings of closeness between individuals engaging in OM. Half of the individuals were romantic partners, while the rest only engaged in OM together. Past research has suggested that sexual and intimate experiences between individuals not involved in romantic relationships may be connected to feelings of depression, distress, and these experiences are disproportionately noted in females. The researchers used a mobile laboratory setup to study 125 couples who had used OM in the past. In contrast to these past findings, Prause, Siegle and Coan found that engaging in OM correlated with lasting feelings of closeness even in non-romantic couples. While it has been hypothesized that females may experience less satisfaction from casual or non-romantic sex due to a noted lack of orgasm and attention to female pleasure in most casual sex, this research did not find a relationship between closeness and sexual pleasure. Instead, the researchers suggest that the closeness effect may stem from the high degree of linguistic interaction and required intimate communication that are core parts of the OM process.⁸

⁶ Prause, N., Cohen, H., & Siegle, G. J. (2021). Effects of adverse childhood experiences on partnered sexual arousal appear context dependent. *Sexual and Relationship Therapy*, 38(3), 479–494.

<https://doi.org/10.1080/14681994.2021.1991907>; Almås E, Benestad EEP. Treatment of Traumatized Sexuality. *Front Psychol*. 2021 Mar 16;12:610619. doi: 10.3389/fpsyg.2021.610619. PMID: 33796043; PMCID: PMC8008146.

⁷ Eg: Fabienne S. V. Wehrli, Guy J. Bodenmann, Joëlle Clemen & Katharina Weitkamp (29 Apr 2024): Exploring the Role of Masturbation as a Coping Strategy in Women, *International Journal of Sexual Health*, DOI: 10.1080/19317611.2024.2344812; Dilan Kılıç, Heather L. Armstrong & Cynthia A. Graham (2023) The Role of Mutual Masturbation within Relationships: Associations with Sexual Satisfaction and Sexual Self-Esteem, *International Journal of Sexual Health*, 35:4, 495-514, DOI: Goodman RE, Snoeyink MJ, Martinez LR. Conceptualizing Sexual Pleasure at Home as a Work-Related Stress Recovery Activity. *J Sex Res*. 2024 Feb;61(2):184-195. doi: 10.1080/00224499.2022.2150138. Epub 2022 Dec 15. PMID: 36519736.

⁸ Prause N, Siegle GJ, Coan J (2021) Partner intimate touch is associated with increased interpersonal closeness, especially in non-romantic partners. *PLoS ONE* 16(3): e0246065. <https://doi.org/10.1371/journal.pone.0246065>

Orgasm Gap: It is well established in clinical literature that there is a pervasive gap between males and females when it comes to incidence of orgasm during sexual intercourse. Put simply, men are far more likely to achieve orgasm during sexual intercourse, compared to women.⁹ However, this difference does not emerge from any physiological differences in ability to experience sexual pleasure, but is generally shown to relate to social and cultural attitudes towards female sexuality. When women engage in partnered sex with women, or when partnered sex with men includes specific attention to stimulation of the woman’s clitoris (as occurs during OM), the orgasm gap closes significantly and women are much more likely to experience orgasm.¹⁰

Pilcher (2023) conducted qualitative interviews of thirty-three (twenty-two women and eleven men) practitioners of OM in the United States and United Kingdom, and explored how OM related to social discourse and conflicts around female sexuality and orgasm. Pilcher found that women participants identified OM as an opportunity to “tune-in” to what felt good and become the “director of my desire,” while distancing themselves from attending to the sexual desires and intent of males. Participants identified OM experience as a means to reclaim their sexuality, embrace and reclaim their bodies and overcome traumatic past experiences and abuse. The “goalless” aspect of OM, which does not set orgasm as a desired or intended outcome, allowed participants to experience the practice more as a form of exploratory play, than as a partnered sexual activity. The structured expectations and elevated verbal consent of OM allowed several women to interrupt and challenge partners who went beyond OM boundaries.¹¹

Female Orgasmic Disorder: The term female orgasmic disorder encompasses several related concepts, including anorgasmia (inability to achieve orgasm) as well as related disorders such as dyspareunia and vaginismus which involve pain during genital stimulation and penetration. Though there are wide cultural differences, between 11-60% of women are believed to experience difficulties achieving orgasm, with religious and conservative communities at highest risk for female sexual disorders.¹²

⁹ Wetzel GM, Sanchez DT, Gesselman AN, Adams OR, Campbell JT, Garcia JR. Exploring the Orgasm Gap Across Racial/Ethnic Groups: A Descriptive Analysis. *J Sex Res.* 2024 Feb 8;1-10. doi: 10.1080/00224499.2024.2308044. Epub ahead of print. PMID: 38329940.

¹⁰ McElroy EE, Perry SL. The Gender Gap in Partnered Orgasm: A Scoping Review of Evidence with Graphical Comparisons. *J Sex Res.* 2024 Nov-Dec;61(9):1298-1315. doi: 10.1080/00224499.2024.2390672. Epub 2024 Aug 29. PMID: 39207435.; Mahar, E.A., Mintz, L.B. & Akers, B.M. Orgasm Equality: Scientific Findings and Societal Implications. *Curr Sex Health Rep* 12, 24–32 (2020). <https://doi.org/10.1007/s11930-020-00237-9>

¹¹ Pilcher, K. (2023). Orgasm as women’s work? Rethinking pleasure, ‘sex’ and the power dynamics of orgasm through the embodied experiences of orgasmic meditation practitioners. *Sexualities*, 0(0). <https://doi.org/10.1177/13634607231208051>

¹² Parish SJ, Goldstein AT, Goldstein SW, Goldstein I, Pfaus J, Clayton AH, Giraldo A, Simon JA, Althof SE, Bachmann G, Komisaruk B, Levin R, Spadt SK, Kingsberg SA, Perelman MA, Waldinger MD, Whipple B. Toward

Impact of Trauma and Adverse Childhood Experiences: Histories of sexual assault and childhood sexual experiences are known to affect adult sexuality in a variety of ways, often creating distress and interfering with sexual pleasure. Ongoing studies with OM suggest that this practice may have a positive impact in mitigating these effects. Prause, Cohen and Siegle (2021) studied 125 couples who had a history of engaging in OM together, and assessed their histories of adverse childhood experiences. The couples overall reported higher levels of positive emotions related to the OM experiences. However, individuals with higher levels of adverse childhood experiences reported higher levels of sexual arousal in the OM experiences, compared to individuals who did not have such histories. The researchers suggest that these contextual effects may relate to the high degree of predictability, control, consent, and communication in OM, along with a decreased pressure to perform given that intercourse or penile stimulation was excluded from OM interactions.¹³

A clinical trial of OM with individuals with PostTraumatic Stress Disorder (PTSD) was conducted by researchers affiliated with the Institute of OM Foundation. The trial involved twenty-eight individuals, twenty-three of whom were assessed to have clinically-noteworthy symptoms of PTSD. The couples were directed to engage in OM at least twelve times over a one-month period. At the end of the trial, participants noted decreases in PTSD symptoms and the participants with PTSD symptoms very highly rated OM as safe and nonthreatening. The trial appears to have been conducted. However, this trial has not been published nor subjected to peer review.

C. Relationship of OM to Established Sexual Therapeutic Techniques

The defense expects that Dr. Ley will testify that, while not developed as a clinical intervention by licensed sex therapists or sex researchers, OM bears striking resemblance to a number of established, tested and frequently used sexual therapy techniques. These include: sensate focus; directed masturbation; somatic sexuality therapies; treatments for sexual symptoms of historical trauma; and experiential therapies and processes. Dr. Ley will explain this further with, but not limited to, the below examples:

a More Evidence-Based Nosology and Nomenclature for Female Sexual Dysfunctions-Part II. *J Sex Med.* 2016 Dec;13(12):1888-1906. doi: 10.1016/j.jsxm.2016.09.020. Epub 2016 Nov 11. PMID: 27843072.; Mahar, E.A., Mintz, L.B. & Akers, B.M. Orgasm Equality: Scientific Findings and Societal Implications. *Curr Sex Health Rep* 12, 24–32 (2020). <https://doi.org/10.1007/s11930-020-00237-9>; Struck P, Ventegodt S. Clinical holistic medicine: teaching orgasm for females with chronic anorgasmia using the Betty Dodson method. *ScientificWorldJournal.* 2008 Sep 21;8:883-95. doi: 10.1100/tsw.2008.116. PMID: 18836654; PMCID: PMC5848654; Elizabeth E. McElroy & Samuel L. Perry (29 Aug 2024): The Gender Gap in Partnered Orgasm: A Scoping Review of Evidence with Graphical Comparisons, *The Journal of Sex Research*, DOI: 10.1080/00224499.2024.2390672

¹³ Prause, N., Cohen, H., & Siegle, G. J. (2021). Effects of adverse childhood experiences on partnered sexual arousal appear context dependent. *Sexual and Relationship Therapy*, 38(3), 479–494. <https://doi.org/10.1080/14681994.2021.1991907>

1. **Sensate Focus:** Sensate focus is a directed psychotherapeutic intervention activity for sexual therapy, first developed in the 1960's by Masters and Johnson. Sensate focus is one of the most commonly used sexual therapeutic interventions. It most commonly involves a therapist directing a couple to engage in homework which consists of one partner reclining, nude or clothed, while the other partner touches them various places on their body. The giver of touch is directed to communicate their sensations, positive and negative, to the toucher, and the recipient is directed to listen and respond to the touchee's cues. The exercise is intended to desensitize the couple to touch, help them learn to touch each other in pleasurable ways and to communicate their pleasure, needs and dislikes to their partner in a way that facilitates better intimate and sexual experiences. Sensate focus is recommended for many sexual disorders and struggles, including female orgasmic disorder.¹⁴ Distinct from OM, sensate focus attends to pleasure, as opposed to any feelings, and sensate focus involves touching of many areas of the body, aside from the genitals.
2. **Directed Masturbation:** Directed masturbation is a sexual therapeutic intervention primarily introduced in the 1970's and 1980's, which involved a therapist directing a patient (typically female) to engage in homework consisting of genital self-touch. The patient was directed to spend varying periods of time using their fingers and sometimes sextoys, to explore and stimulate their genitals, for the purpose of desensitization to touch, as well as increased awareness of pleasure. Directed masturbation is one of the common treatment techniques recommended for female orgasmic disorder.¹⁵ In OM, touch involves a partner doing the touching, directed masturbation involves self-touch or use of a self-applied vibrator.
3. **Somatic Sex Therapies:** Somatic sex therapy techniques are a relatively recent group of sex therapy practices designed to help individuals learn to be "in" their bodies during sexual experiences. Dissociation describes a common anxiety response to sexuality, particularly amongst individuals with histories of sexual trauma. Dissociation involves these individuals psychologically distracting themselves and distancing from the sexual and physical experiences. Somatic sex therapy techniques focus on increasing an individual's ability to attend to, focus on, and experience their bodily sensations during sexuality and intimate experiences. Somatic techniques rely on strategies borrowed from mindfulness, meditation, self-soothing, anxiety reduction, bodily-awareness, desensitization and response prevention, all established methods for the treatment and abatement

¹⁴ See for example: Andersen BL. Primary orgasmic dysfunction: diagnostic considerations and review of treatment. *Psychol Bull.* 1983 Jan;93(1):105-36. PMID: 6828600; PMCID: PMC3411116.; McCabe, Hertlein, Davis. (202) Female Orgasmic Disorder. In *In Systemic Sex Therapy*, 3rd Edition. Ed. Hertlein, Gambroscia, Weeks. Routledge.

¹⁵ Andersen BL. Primary orgasmic dysfunction: diagnostic considerations and review of treatment. *Psychol Bull.* 1983 Jan;93(1):105-36. PMID: 6828600; PMCID: PMC3411116.

of sexual symptoms of trauma and posttraumatic stress disorder. Somatic therapy techniques do not typically involve genital touch during clinical intervention.

4. **Recommended Treatment Strategies for Histories of Sexual Trauma:**

Histories of trauma and past sexual abuse are well-established to have a lasting impact on female sexuality, including the women's ability to experience sexual pleasure and achieve orgasm.¹⁶ Treatment strategies for assisting women with trauma histories in "reclaiming" their sexuality involve addressing issues of shame and self-blame which may inhibit the woman from experiencing sexual pleasure, as well as helping them to learn and practices techniques of mindfulness, stress reduction, self-soothing, and interrupting dissociation. Helping the women learn to communicate with their partners about their sexual needs, setting of sexual boundaries and expression of sexual pleasure are all critical components. Reducing surprises during sex, and increasing the practice of safe communication, verbal consent and creating predictability and safety in sexual experiences has been recommended by sex therapists. The sensate focus intervention is a highly recommended strategy to assist women dealing with sexual trauma.¹⁷

5. **Experiential therapies and Processes:** In the Memorandum in Support of The Government's Motions *in Limine* on page 14, there is a description of Onetaste staff and leadership engaging in a re-enactment of a sexual assault of one of the participants. There is precedence for such activities, both within therapeutic proceedings and in non-therapeutic sexual activities. While therapists would not typically re-enact a sexual assault in the course of therapy, some therapeutic disciplines have used psychodrama processes and other forms of experiential activities in order to allow participants to re-experience events in a different manner, to take charge in ways they may not have, to assert more self-control over the experiences, and to experience desensitization and response prevention, components of standard anxiety treatment.¹⁸ Practitioners of alternative sexual practices such Bondage, Discipline, SadoMasochism (BDSM) sometimes deliberately enact simulated scenes of sexual assault, in a form of roleplay, where

¹⁶ See for example, Phelps, K. Jones, A., Payne, R. (2020). The interplay between mental and sexual health. Ch 11. In *Systemic Sex Therapy*, 3rd Edition. Ed. Hertlein, Gambroscia, Weeks. Routledge.

¹⁷ Almås E, Benestad EEP. Treatment of Traumatised Sexuality. *Front Psychol*. 2021 Mar 16;12:610619. doi: 10.3389/fpsyg.2021.610619. PMID: 33796043; PMCID: PMC8008146.; Baggett LR, Eisen E, Gonzalez-Rivas S, Olson LA, Cameron RP, Mona LR. Sex-Positive Assessment and Treatment Among Female Trauma Survivors. *J Clin Psychol*. 2017 Aug;73(8):965-974. doi: 10.1002/jclp.22510. Epub 2017 Jun 29. PMID: 28662273.; Wohl A, Kirschen GW. Betrayal of the Body: Group Approaches to Hypo-Sexuality for Adult Female Sufferers of Childhood Sexual Abuse. *J Child Sex Abus*. 2018 Feb-Mar;27(2):154-160. doi: 10.1080/10538712.2018.1435597. Epub 2018 Mar 6. PMID: 29509103.

¹⁸ Eg, Mahrer, Boulet. (2001). How can experiential psychotherapy help transform sex therapy? In *New Directions in Sex Therapy: Innovations and Alternatives*. Kleinplatz Ed. Edward Brothers. ; Mondolfi Miguel ML, Pino-Juste M. Therapeutic Achievements of a Program Based on Drama Therapy, the Theater of the Oppressed, and Psychodrama With Women Victims of Intimate Partner Violence. *Violence Against Women*. 2021 Jul;27(9):1273-1296. doi: 10.1177/1077801220920381. Epub 2020 Jun 23. PMID: 32573368.

some theorists suggest that the BDSM activities may serve to create safer experiences, with elements of desensitization and response prevention.¹⁹

D. Relationship of OM to Historical Spiritual and Cultural Practices

The defense expects that Dr. Ley will testify to the extent that OM is consistent with, and fits in, a long history of sexual cultural practices involving similar forms of touch and stimulation for the purpose of mental and spiritual growth and celebration of female sexuality. These include, but are not limited to: Tantric sexuality; Greek medicine; Sex Magick; feminist sexuality; bondage discipline sadomasochistic (BDSM) practices; and what is known as “collective sex environments.” Dr. Ley will also relate the practice of OM to continued social shifts in attention to female sexual autonomy and pleasure.

Tantric Sexuality: Tantric sexuality is a modern sexual and spiritual practice derived from East Indian sexual and spiritual practices. In Tantric sexuality, sexual stimulation and intercourse are taught as methods to control and direct one’s spiritual energy and achieve a deeper connection with a partner. While Tantric sexuality is not intended to pursue orgasm, the practice ultimately culminates in an experience of orgasm in a manner which transcends the physical and achieves a connection to God and the greater universe. Similar to OM, Tantric sexuality relies on an Indian history which included the first literature treating sexual intercourse and sex education as important cultural topics.²⁰

Greek Medicine: Ancient medicine identified “hysteria” as a female ailment related to a variety of potential conditions and causes. Though modern historical dialogue identifies controversy around the pervasiveness of this in recent centuries, physicians as far back as Hippocrates and Galen prescribed and administered manual stimulation of female genitalia as one treatment for

¹⁹ Gewirtz-Meydan A, Godbout N, Canivet C, Peleg-Sagy T, Lafortune D. The Complex Interplay between BDSM and Childhood Sexual Abuse: A Form of Repetition and Dissociation or a Path Toward Processing and Healing? *J Sex Marital Ther.* 2024;50(5):583-594. doi: 10.1080/0092623X.2024.2332775. Epub 2024 Mar 28. PMID: 38544460.; Ortmann, Sprott (2013) *Sexual Outsiders*. Rowman and Littlefield. Lanham MD.

²⁰ Lousada, M., & Angel, E. (2011). Tantric orgasm: beyond Masters and Johnson. *Sexual and Relationship Therapy*, 26(4), 389–402. <https://doi.org/10.1080/14681994.2011.647903>; Chakraborty K, Thakurata RG. Indian concepts on sexuality. *Indian J Psychiatry.* 2013 Jan;55(Suppl 2):S250-5. doi: 10.4103/0019-5545.105546. PMID: 23858263; PMCID: PMC3705691.

hysteria.²¹ Similar treatments known as “vaginal acupressure” and “Hippocratic pelvic massage” are documented in other countries.²²

Sex Magick: On page 27 of the Memorandum in Support of The Government’s Motions *in Limine*, the government describes that defendants used terms such as “priests and priestesses of Orgasm,” as well as referring to practices of “witchery” and “magic.” There is a very long history of associating female sexuality with witchcraft and magic.²³ In the 19th Century, Alistair Crowley created a spiritual movement which promoted sexual practices as a means to achieve spiritual and psychic command of mystical forces. This practice continues today.²⁴

Feminist Sexuality: In the 1960’s and ‘70’s, America experienced a Sexual Revolution, based on changing sexual values, increased access to contraception and expanded rights and freedoms for women. Betty Dodson was an artist and sex educator who pioneered methods of teaching women to accept and examine their genitalia, and to achieve orgasm through self-stimulation and manual stimulation by others. This self-examination and manual stimulation most typically occurred in group settings, very similarly to OM, though in Dodson’s practice these were typically female only groups.²⁵ Dodson’s methods have been adapted into sexological treatment practices to treat female anorgasmia.²⁶

The feminist sexual revolution has not ended, but has shifted in some goals and media. Female sexual anatomy and female sexual pleasure are currently one of the most common sex education topics on the popular social media site Tik Tok.²⁷ Modern sexual researchers, clinicians and educators argue for greater attention to the social values, social inequalities and gendered teachings which inhibit female

²¹ Lieberman, Hallie; Schatzberg, Eric (August 2018). "A failure of academic quality control: The technology of orgasm". *Journal of Positive Sexuality*. 4 (2): 24–47. doi:10.51681/1.421; Struck P, Ventegodt S. Clinical holistic medicine: teaching orgasm for females with chronic anorgasmia using the Betty Dodson method. *ScientificWorldJournal*. 2008 Sep 21;8:883-95. doi: 10.1100/tsw.2008.116. PMID: 18836654; PMCID: PMC5848654

²² Ventegodt S, Clausen B, Omar HA, Merrick J. Clinical holistic medicine: holistic sexology and acupressure through the vagina (Hippocratic pelvic massage). *ScientificWorldJournal*. 2006 Mar 7;6:2066-79. doi: 10.1100/tsw.2006.337. PMID: 17370003; PMCID: PMC5917356.

²³ Ley, D. (2009) *Insatiable Wives, Women Who Stray and the Men Who Love Them*. Rowman and Littlefield. Lanham MD.

²⁴ Lycourinos, D. (2017). Sexuality, Magic(k) and the Ritual Body: A Phenomenology of Embodiment and Participation in a Modern Magical Ritual. *Journal of Ritual Studies*, 31(2), 61–77. <http://www.jstor.org/stable/44988498>

²⁵ Kleinplatz PJ. History of the Treatment of Female Sexual Dysfunction(s). *Annu Rev Clin Psychol*. 2018 May 7;14:29-54. doi: 10.1146/annurev-clinpsy-050817-084802. Epub 2018 Jan 22. PMID: 29356577.

²⁶ Struck P, Ventegodt S. Clinical holistic medicine: teaching orgasm for females with chronic anorgasmia using the Betty Dodson method. *ScientificWorldJournal*. 2008 Sep 21;8:883-95. doi: 10.1100/tsw.2008.116. PMID: 18836654; PMCID: PMC5848654.

²⁷ Fowler LR, Schoen L, Smith HS, Morain SR. Sex Education on TikTok: A Content Analysis of Themes. *Health Promot Pract*. 2022 Sep;23(5):739-742. doi: 10.1177/15248399211031536. Epub 2021 Aug 20. PMID: 34416842.

sexual pleasure, specifically for greater education and acceptance around clitoral stimulation.²⁸

Bondage, Discipline, SadoMasochism (BDSM): On page 35 of the Memorandum in Support of The Government’s Motions *in Limine*, the government describes individuals from Onetaste engaging in “elaborate scenes” involving “BDSM.” BDSM is an umbrella term describing a wide variety of diverse behaviors, sometimes involving sexual elements, but not always. Most BDSM is best understood as a form of role-playing, a negotiated interaction between two or more individuals who agree to take on certain roles during the sexual interaction. Typically, these roles involve one person taking a “top” or a dominant role while the other(s) take on a “bottom” or submissive role. BDSM activities can include a wide range of behaviors, including both physical behaviors such as spanking, whipping, or other forms of physical contact. These physical behaviors are sometimes described as “impact play.” BDSM may include orders or directed behaviors and may include psychological forms of dominance or “headgames.” Across a lifetime, about 15% of males and females report getting “playfully whipped” during sex and between 30-60% report giving or being spanked.²⁹

Similar to the findings with OM, research with couples engaging in BDSM activity finds that the practice results in feelings of spirituality, relaxation and changed mental states and increased feelings of closeness.³⁰ Such role-playing can be a form of sexual novelty and serve to create sexual excitement. However, not all BDSM necessarily involves sexual contact or genital stimulation. Research with persons involved in BDSM finds that engaging in such scenes is a way of changing their mental states, seeking escape from current worries or problems, and helping them to focus intensely on their current experiences.³¹ BDSM is

²⁸ Laan, E. T. M., Klein, V., Werner, M. A., van Lunsen, R. H. W., & Janssen, E. (2021). In Pursuit of Pleasure: A Biopsychosocial Perspective on Sexual Pleasure and Gender. *International Journal of Sexual Health*, 33(4), 516–536. <https://doi.org/10.1080/19317611.2021.1965689>; Reis J, de Oliveira L, Oliveira C, Nobre P. Psychosocial and Behavioral Aspects of Women's Sexual Pleasure: A Scoping Review. *Int J Sex Health*. 2021 May 24;33(4):494-515. doi: 10.1080/19317611.2021.1910890. PMID: 38595786; PMCID: PMC10903595.

²⁹ Herbenick D, Bowling J, Fu TJ, Dodge B, Guerra-Reyes L, Sanders S. Sexual diversity in the United States: Results from a nationally representative probability sample of adult women and men. *PLoS One*. 2017 Jul 20;12(7):e0181198. doi: 10.1371/journal.pone.0181198. PMID: 28727762; PMCID: PMC5519052.

³⁰ Sagarin BJ, Cutler N, Lawler-Sagarin KA, Matuszewich L. Hormonal changes and couple bonding in consensual sadomasochistic activity. *Arch Sex Behav*. 2009 Apr;38(2):186-200. doi: 10.1007/s10508-008-9374-5. Epub 2008 Jun 19. PMID: 18563549. Lee EM, Klement KR, Ambler JK, Loewald T, Comber EM, Hanson SA, Pruitt B, Sagarin BJ. Altered States of Consciousness during an Extreme Ritual. *PLoS One*. 2016 May 13;11(5):e0153126. doi: 10.1371/journal.pone.0153126. PMID: 27175897; PMCID: PMC4866757.

³¹ Baumeister, R. F. (1988). Masochism as escape from self. *Journal of Sex Research*, 25(1), 28–59. <https://doi.org/10.1080/00224498809551444>; Williams DJ, Sprott RA. Current biopsychosocial science on understanding kink. *Curr Opin Psychol*. 2022 Dec;48:101473. doi: 10.1016/j.copsyc.2022.101473. Epub 2022 Sep 28. PMID: 36274435.

known among many as a form of “adult play,” and represents a leisure activity which people use to find community, enjoyment, personal development and escape from their normal, everyday lives.³²

Collective Sex Environments: OM is sometimes engaged in in private settings, and sometimes in group settings. Collective sex environments is a neutral term describing various setting in which individuals may gather in order to engage in sexual behaviors around, or with, other individuals. This area came under academic study in the 1980’s related to gay male bathhouses, but in recent years has been extended to include a wide variety of social and cultural groups, including heterosexual swingers, as well as lesbians.³³ Similar to the practices of OM, it is noted that among lesbian and bisexual women in collective sex environments, there are noted higher levels of verbal discussion and explicit negotiation of consent.³⁴

E. Opinions Regarding Grooming and Coercive Control

Dr. Ley will testify as to the challenges with use of the term “grooming,” explaining the scientific and clinical limitations of this concept, particularly in matters of law. The term grooming, or “sexual grooming,” is a term used to describe patterns of behavior observable in the actions of many individuals who commit sexual offenses. Grooming describes the ways in which sexual offenders prepare an individual to be more amenable to participation, or susceptibility, to the perpetrator’s influence. Grooming also serves to increase the likelihood that a victim will keep the interactions secret, thereby protecting the perpetrator. Finally, grooming may also serve to prepare an environment, or a social network, to increase a perpetrator’s access to a potential victim(s) and decrease the likelihood of the perpetrator being exposed or confronted, after abuse has occurred.

“Grooming is generally regarded as prior activities intended to prepare the child for abuse, not actually illegal or abusive activities themselves,” according to Bennett and

³² Williams, D.J., Prior, E. E., Alvarado, T., Thomas, J. N., & Christensen, M. C. (2016). Is bondage and discipline, dominance and submission, and sadomasochism recreational leisure? A Descriptive exploratory investigation. *The Journal of Sexual Medicine*, 13(7), 1091–1094. <https://doi.org/10.1016/j.jsxm.2016.05.001>

³³ Meunier É, Escoffier J, Siegel K. Rethinking Risks and Interventions Beyond HIV: The Importance of Contextualizing Collective Sex. *Arch Sex Behav*. 2019 Jan;48(1):51-56. doi: 10.1007/s10508-018-1214-7. Epub 2018 Apr 16. PMID: 29663163. Frank K. Rethinking Risk, Culture, and Intervention in Collective Sex Environments. *Arch Sex Behav*. 2019 Jan;48(1):3-30. doi: 10.1007/s10508-018-1153-3. Epub 2018 May 10. PMID: 29748787.

³⁴ Hammers, C. (2009). An Examination of Lesbian/Queer Bathhouse Culture and the Social Organization of (Im)Personal Sex. *Journal of Contemporary Ethnography*, 38(3), 308-335. <https://doi.org/10.1177/0891241608317081>

O'Donohue.³⁵ “Grooming differs from normal interactions due to the underlying, deviant intention, which may be understandably difficult to identify.”³⁶ The term grooming is more often used as a colloquial term, used by laypersons to describe complex phenomena and behavior patterns, whereas researchers and clinicians apply nuance and specificity to distinguish and identify behaviors of individuals involved in sexual offending. In recent years, researchers have developed a Sexual Grooming Model (SGM)³⁷ and have begun testing and validating a victim self-report assessment of grooming (Sexual Grooming Scale – Victim Version)³⁸ though this model, and any existing measures, have not been tested to distinguish between criminal behavior and innocent social behaviors. A recent pilot study to develop a measure to assess grooming through self-report by perpetrators yielded poor support for the instrument due to limited self-awareness in perpetrators.³⁹ Thus, while there is increasing scientific foundations on which to assess or evaluate grooming, this remains a developing field.

Past research on the concept of grooming found that it was often inconsistently defined, containing a variety of heterogeneous behaviors. Victims and perpetrators often describe events differently, complicating the identification of grooming. Within treatment of sexual offenders, grooming is recognized as a concept of limited value, as it may over-pathologize socially desirable behaviors and taint perception of an individual's future behaviors. Notably, modern treatment of sexual offenders often attempts to increase prosocial behaviors, which may sometimes resemble grooming.⁴⁰ The concept of grooming also assumes that an individual offender's behaviors are linear, organized and planned, characteristics which are often not well supported in research or clinical practice. Many assume that offenders use grooming in a planned, Machiavellian manner with desired outcomes identified by the offender well in

³⁵ Bennett, N., & O'Donohue, W. (2014). The construct of grooming in child sexual abuse: Conceptual and measurement issues. *Journal of Child Sexual Abuse*, 23(8), 957–976.

<https://doi.org/10.1080/10538712.2014.960632>

³⁶ Winters, G.M., Jeglic, E.L., & Kaylor, L.E. (2020). Validation of the Sexual Grooming Model of Child Sexual Abusers. *Journal of Child Sexual Abuse*, 29, pg 14.

³⁷ Winters, G.M., Jeglic, E.L., & Kaylor, L.E. (2020). Validation of the Sexual Grooming Model of Child Sexual Abusers. *Journal of Child Sexual Abuse*, 29, 855 - 875.

³⁸ Winters, G. M., & Jeglic, E. L. (2022). The Sexual Grooming Scale—Victim Version: The development and pilot testing of a measure to assess the nature and extent of child sexual grooming. *Victims & Offenders*, 17(6), 919–940. <https://doi.org/10.1080/15564886.2021.1974994>

³⁹ Wolf MR, Pruitt DK, Leet T. Lessons Learned: Creation and Testing of a New Instrument (*Sex Offenders Grooming Assessment*) for Measuring Sex Offenders' Perceptions of Their Grooming Behaviors. *J Child Sex Abus*. 2021 Oct;30(7):785-805. doi: 10.1080/10538712.2021.1970681. Epub 2021 Aug 23. PMID: 34425731.

⁴⁰ Eg the “Good Lives Model” Kaylor LE, Jeglic EL. Integrating Strength-Based Approaches Into Cognitive Behavioral Therapy for Those Who Sexually Offend. *J Correct Health Care*. 2022 Oct;28(5):287-295. doi: 10.1089/jchc.21.04.0031. Epub 2022 Sep 19. PMID: 36125355.; Lutz M, Zani D, Fritz M, Dudeck M, Franke I. A review and comparative analysis of the risk-needs-responsivity, good lives, and recovery models in forensic psychiatric treatment. *Front Psychiatry*. 2022 Oct 31;13:988905. doi: 10.3389/fpsy.2022.988905. PMID: 36386990; PMCID: PMC9659584.

advance. In contrast, most offenders act impulsively, without planning or clear conscious intent.

It is known that some perpetrators of sexual abuse specifically identify vulnerable children or persons, many of whom have prior abuse histories, give them gifts, and engage in sexualized discussions to desensitize the children to future sexual assault.⁴¹ However, everyone who gives a person a gift or shows concern is clearly not a potential sexual criminal, nor are the many people who attempt to support persons with traumatic histories. Accordingly, there are limitations which exist in identifying behaviors as grooming, in that many behaviors retrospectively called grooming may also be prosocial behaviors used by caring, committed persons in various environments to develop trusting healthy relationships.

Due to the difficulties in distinguishing between prosocial behaviors and actual grooming behaviors, the latter can only be reliably identified retrospectively after the abuse has occurred, been proven to occur, or an offender has confessed to attempting abuse. Furthermore, not all grooming results in completed sexual abuse, and not all sexual abuse is predicated on grooming behaviors. In recognition of those complexities, laws in the US and the UK offer additional punishment in sentencing to offenders who showed children child sexual abuse material, based on the idea that such acts are grooming efforts to increase susceptibility to sexual abuse. However, the act of showing a child such material is a form of sexual abuse and a crime in and of itself. Exposing a child to pornography is the only form of grooming criminalized in the United States, and general efforts to criminalize grooming have focused on electronic enticement.⁴²

Due to these conceptual difficulties, a more precise definition of grooming was proposed which limited grooming to “antecedent inappropriate behavior that functions to increase the likelihood of future sexual abuse,” with two additional limitations:

- the behavior being evaluated must in and of itself be inappropriate and a case for this inappropriateness must be made
- a sound argument must be presented that the behavior or behaviors increase the likelihood of future sexual abuse.⁴³

⁴¹ Seto, M. (2008). Pedophilia. In D.R. Laws & W. O’Donohue (Eds.), *Sexual deviance: Theory, assessment, and treatment*.

⁴² Kaylor, L. E., Winters, G. M., Jeglic, E. L., & Cilli, J. (2023). An analysis of child sexual grooming legislation in the United States. *Psychology, Crime & Law*, 29(9), 982–1000. <https://doi.org/10.1080/1068316X.2022.2043313>

⁴³ Bennett, N., & O’Donohue, W. (2014). The construct of grooming in child sexual abuse: Conceptual and measurement issues. *Journal of Child Sexual Abuse*, 23(8), 957–976. <https://doi.org/10.1080/10538712.2014.960632>

The prosecution has introduced expert witness Dr. Chitra Raghavan, to testify on the concept of “coercive control,” as it allegedly applies to actions by the defendants. The defense expects Dr. Ley to testify as to how the concept of “coercive control” is an extension of the vague concept of grooming to a broader group of persons and behaviors, including domestically-violent relationships and sexually exploitive relationships, and that the concept still suffers from the same methodological and theoretical limitations as grooming. Dr. Ley will testify that there remain no well-validated, normed assessments to objectively or consistently measure “coercive control.”

F. Bases and Reasons

Dr. Ley’s testimony will be based on his training, experience, and research in this field. As documented in his enclosed curriculum vitae, Dr. Ley has actively worked in the areas of psychology and human sexuality for well over two decades, treating many thousands of individuals. He has treated countless individuals with sexual offense histories over his long career. He has published dozens of research and clinical articles as well as three highly read books about sexuality for the lay audience. He has trained thousands of mental health clinicians around the world on issues related to human sexuality and sex therapy, and has supervised hundreds of sex therapists in their training and clinical development. Dr. Ley participates in constant ongoing continuing education and review of developing areas of sexual and psychological science. His work, as well as additional research discussing sexuality and psychology matters are cited herein and included in Appendix A. Furthermore, through his teaching, supervision and research, he is familiar with the larger body of qualitative research in this field. As an editor of the Archives of Sexual Behavior, Dr. Ley is constantly reviewing and judging developing scientific and clinical literature in the field. As a clinical psychologist, Dr. Ley has conducted hundreds of extensive clinical interviews of women regarding sexual functioning and the impact of sexual trauma on their sexual experiences. Dr. Ley reviewed materials provided by defense counsel, including the government’s Motion in Limine. He also reviewed research on OM available in the general scientific literature. Dr. Ley reserves the right to amend his opinion in the face of other material or information related to this matter.

II. Qualifications

As noted above, Dr. Ley’s qualifications are documented in his curriculum vitae, which is enclosed. His curriculum vitae documents his professional experience, as well as his publications over the last ten years. In sum, Dr. Ley is a board-certified licensed clinical psychologist and a board-certified sex therapist and supervisor of sex therapy, whose clinical work, research, publications, and teaching have focused on the intersections of sexual health, psychology and mental health treatments. Dr. Ley is the Executive Director of New Mexico Solutions, a large outpatient behavioral health and substance use agency in New Mexico. Dr. Ley was appointed by

the Governor of New Mexico to the Board of Professional Examiners of Psychology, where he serves as Vice-Chair, overseeing the regulation of psychology in New Mexico. Dr. Ley was elected to the board of directors of the National Council for Mental Well-Being, one of the most prominent mental health advocacy groups in the country. He also serves on the Advisory Board of the Sexual Health Alliance, a training institution providing sexual health education each year to many therapists around the world. Through the Sexual Health Alliance, as well as other conferences and venues, Dr. Ley provides training and formal clinical supervision on sexuality and psychology to many hundreds of individuals each year. Dr. Ley is an editor of the Archives of Sexual Behavior, one of the leading research and clinical journals in the field of sexual science. Dr. Ley has been retained as an expert on matters related to “grooming” and sexual offending and has been deemed an expert in topics such as sexuality, psychology, pornography and sexual diversity in federal and state courts across the country.

III. Cases

The following is a list, to the best of Dr. Ley’s recollection and ability to reconstruct other cases in which he has been retained or testified as an expert at trial or by deposition.

September 2024 - CO v Vanderpouye. 16CR425. Retained by defense as expert on sexuality, psychology and memory.

July 2024 – OR v Christopher Gibson. SP-23-345798. Retained by defense as expert on BDSM and gay sexual culture. Submitted expert report for settlement proceedings.

May 2024 – State of NM v Skyler Sheldon DA 2022-04249-1. Retained as expert on memory and sexuality. Pre-trial interview 5/18/2024.

May 2024 – Georgia vs Kofler. Superior Court of Gwinnet County, Georgia. Retained by defense as expert on sexual diversity and role-play. Admitted and qualified as expert on clinical psychology, sexuality, online sexuality, age-play and sexual role-playing and gay male sexual culture. Testified at trial.

April 2024 – AC et al v Jason Hollis-Reynolds et al. No D.-202-CV-2020-05169.

Retained as expert on psychology and sexual harassment.

April, 2024 – R v Lyver. Supreme Court of Newfoundland and Labrador. Testified in qualifying hearing as expert on memory and recovered memory. Retained by defense.

April 2024. Doe, et al. v Mindgeek. Retained by defense as expert on pornography. Report submitted June 2024.

March 2024 – USA v Andrew Butler. US District Court, AZ. #AW1-AZXFPD24-0012.

Retained by defendant in criminal cases as expert witness regarding BDSM and pornography. Expert report submitted to court. Accepted as expert, testified in trial.

October, 2023 – State of MT v Andrew Beckett. Retained by defendant in criminal cases as expert witness regarding BDSM, sexual assault. Expert report submitted to court.

Case settled before trial.

August 2023 – State of MD v Keshi Parker. CC-23-000217. Retained by defendant in

criminal cases as expert witness regarding BDSM. Case in Howard County settled without trial. Case in PG County resolved without trial.

August, 2023 – Free Speech Coalition, Inc. et al v Attorney General of Texas. No. 1:23-cv-00917-DAE. Retained as expert consultant and witness regarding the effects of pornography viewing. Multiple expert reports submitted to court.

April 2023 – Jones v State of Washington Case No 22-2-11163-3 SEA. Retained by defense as expert witness on memory and recovered memory claims. Declarations on expert testimony submitted. Case settled prior to trial

January 2023 – Rollins v SBC. 10174.003; Rollins v. SBC, et. Al. Retained by defense as expert witness on memory and recovered memory claims. Declarations on expert testimony submitted. Case settled prior to trial.

January 2023 – USA v Dennis. Retained by prosecution as consultant and expert witness on sexuality and BDSM for court martial. Case resolved without sworn testimony.

December 2022 – NM v Lee. D-202-CR-2022-01438. Retained by defense as expert on effects of alcoholism on memory and blackouts. Case plead prior to trial.

December 2022 – Nevada v O’Gorman. No. RCR2021-116300. Retained by defense as expert on psychology of sexwork. Testified at initial hearing. Qualified as expert by judge. Testified as expert at trial.

April 2022 - M.S., P.M., et al., v. State of Washington No. 19-2-06192-34. Retained by state (defendant) as expert witness regarding psychology of memory and “recovered memories.” Case resolved prior to trial without deposition or testimony.

April 2022 - D.E., et al., v. State of Washington. No.: Thurston County Superior Court No. 21-2-02019-34. Retained by state (defendant) as expert witness regarding psychology of memory and “recovered memories.” Case resolved prior to trial without deposition or testimony.

April 2022 - T.V. v. State of Washington; No. 21-2-06819-9. Retained by state (defendant) as expert witness regarding psychology of memory and “recovered memories.” Deposited. Case settled during trial prior to my testimony.

March 2022 - JR. v State of Washington; Cause No 19-2-10294-8. Retained by state (defendant) as expert witness regarding psychology of memory and “recovered memories.” Case resolved prior to trial without deposition or testimony.

November, 2021 – (J.R.) (KS) v DSHS, et al. v STATE Court/Cause No.: Pierce Co. Superior Court / Cause No. 19-2-10294-8. Retained by state (defendant) as expert witness regarding psychology of memory and “recovered memories.” Declaration provided. Case settled prior to trial.

October, 2021 – Harris v State of Washington. 21-2-05008-1 SEA. Retained by state (defendant) as expert witness regarding psychology of memory and “recovered memories.” Declaration provided. Case settled prior to trial.

October 2020 – SS v State of Washington 19-2-09341-8. Retained by state (defendant) as expert witness regarding psychology of memory and “recovered memories.” Case settled

prior to trial.

September 2020 - USA vs Arthur, NO P-19-CR-774. Retained by defense as expert witness regarding scientific issues related to pedophilia, obscenity and written stories.

Trial in January 2021, testimony excluded. 5th Circuit Appeals reversed exclusion.

June 2020 – Fooks vs Acadia Healthcare Company Inc. D-117-CV2019-00136. State of New Mexico, First Judicial District. Retained by defense as expert witness regarding therapeutic foster care services practices in New Mexico. Deposed. Case resolved without expert testimony.

May 2020 - Colorado v Garcia-Ramires 19CR1792. Retained as defense expert witness regarding sexuality. Qualified as expert witness in sexuality and psychology, with trial testimony provided. Defendants acquitted in jury trial, February 2022.

March 2020 - Lloyd's, London (Beazley, IC Group, Pardus), North American Capacity Insurance Company and Allianz vs Frantic, Inc. and James Hetfield. Retained as expert witness on claims of sex and alcohol addiction as they relate to claims of insured loss. Case resolved without litigation.

February 2020 – US vs SrA Heresh; Western Circuit, Department of Air Force.

Appointed as forensic psychology expert regarding bipolar disorder and BDSM sexuality practices. Case and charges were dismissed without trial or testimony.

July 2019 – Shanna Shelton v Derek Shelton, Evansville, IN. 82D05-1805-DC-000610.

Retained as expert witness/consultant in custody case regarding sex addiction treatment and the Sexual Dependency Inventory. Case was settled without testimony.

March 2019 – Pegasus, GAL for AB, et al, v Teambuilders, et al.

D-1011-CV-2016-02760. Retained, deposed as expert witness regarding treatment foster care services in New Mexico. Case was settled without testimony at trial.

January 2019 – Lloyds of London v MRC II Distribution Company, re “House of Cards.”

Retained as expert witness on claims of sex addiction as they relate to claims of insured loss. Case pending civil trial in California.

April 2018 – Fernando L. Frye Hearing – Appellate Division, Fourth Department, Utica NY. Retained as Expert witness on hypersexuality. Testified at trial.

December 2017 – Collette Russell v Nebo School District. 2:16-cv-00273-DS. Retained, deposed as expert on sexual offending. Deposed April 2, 2018. Case was settled without trial in Fall 2019.

October 2016: Colorado vs Crumpler, Colorado Springs. 15CR2430. Retained as expert witness on polyamory. Preliminary report offered. No testimony or deposition. Case was resolved prior to trial.

September 2016: USA vs Lockwood, San Antonio, TX. Retained as expert witness on BDSM and alternative sexual practices. Case was ultimately settled without testimony.

July 2015: Disability Rights New Mexico. Retained as expert witness/consultant for potential class action involving Medicaid policy and behavioral health treatment. Case was never filed.

July 2015: Cleveland Metro. Bar Assn. v. Sleibi, 144 Ohio St.3d 257, 2015-Ohio-2724.
Qualified and testified as expert witness about the diagnosis and treatment of alleged sex
addiction.

Signed,

A handwritten signature in black ink, appearing to read "D. Ley", written in a cursive style.

David J. Ley PhD. ABPP

Albuquerque, NM

October 21, 2024

CURRICULUM VITAE

David J. Ley Jr. Ph.D. ABPP
Clinical Psychologist
Certified Sex Therapist & Supervisor of Sex Therapy

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Albuquerque, NM 87102
(505) 248-2724 (office)
(505) 234-2018(cell)
davidleyphd@gmail.com

Licensed Clinical Psychologist – New Mexico #0834, July, 2002.

Licensed Psychologist – Nevada #0571 2009 – 2012 (License inactive)

Licensed Psychologist – North Carolina #4960, 2016

Board Certified Clinical Psychologist – ABPP 2023

Board Certified Sex Therapist – AASECT 2016

Board Certified Sex Therapist Supervisor – AASECT 2017

QPR Master Suicide Prevention Trainer

Member, Board of Directors, Albuquerque Healthcare for the Homeless, FQHC.
2017-present

Member, Vice president, New Mexico Board of Psychologist Examiners – Appointed in October 2020 to 3 year term by Governor Michelle Lujan-Grisham.

Member, Editorial board, Archives of Sexual Behavior, Appointed January 2021.

Director, Board of Directors, National Council for Mental Well-Being (formerly National Council for Behavioral Health). Appointed to three year term, June 2021.

President, Member, Board of Directors, New Mexico Behavioral Health Provider Association. Served on Board since 2004. Multiple terms as President, Vice President, Secretary.

Member, Advisory Board, Synchronys Health Information Exchange. 2023.

Educational History

Doctor of Philosophy (2001) Clinical Psychology; University of New Mexico

Master's of Science (1997) Psychology; University of New Mexico

Bachelor of Arts (1995), Magna Cum Laude, Majors in Philosophy and Psychology; University of Mississippi

Current Professional/Clinical Activities

October 2021 – Co-Director – Certification Program in Treatment of Problem Sexual Behavior – Sexual Health Alliance.

October, 2020 - Volunteer Faculty, University of New Mexico School of Medicine, Department of Psychiatry and Behavioral Sciences – Forensics psychology postdoctoral fellowship program.

09/2004 – Current. Executive Director, New Mexico Solutions; Vice President, River Valley Consulting. Albuquerque, NM; Owensboro, KY.

- Serve as Executive Director of Outpatient Behavioral Health agency, offering Treatment Foster Care, Case Management, Outpatient Therapies, Assertive Community Treatment, Crisis Triage Center and Chemical dependency services to children, families and adults, in 5 locations through Central New Mexico.
- Supervise annual budget (currently \$8M+) development and administration. Approximately quintupled annual revenues over tenure, increasing direct services and reducing direct expenses.
- Grantwriting – Have won numerous RFPs and grant awards, resulting in approximately \$25M in various recurring grant funds.
- Achieved and maintained clinical national accreditation (CARF) for agency services.
- Shifted funding from an exclusively Medicaid-based service structure to a diverse structure serving commercial and public contracts in addition to Medicaid.
- Administratively and clinically supervise staff/providers that includes Treatment Foster Parents, outpatient, home-based and school-based psychotherapists, case managers, psychiatrists, drug and alcohol counselors, activity therapists, serving an open client caseload of 3000+.
- Lead program development locally, expanding outpatient services and increasing community presence. Quadrupled volume of unduplicated consumers served. Diversified services and payment sources.
- Developed and implemented a successful Behavioral Health Crisis Triage Center, with integrated mobile crisis services in Santa Fe, NM.
- Lead contract negotiations and interagency relationships with other providers, advocacy groups and state agencies.
- Provide trainings to staff in multiple states regarding behavioral health issues, suicide assessment, intervention and prevention, and the treatment of sexual offending adolescents.
- Oversaw development and implementation of adult, family and adolescent drug and alcohol treatment program.
- Support implementation of behavioral health and sexual health programs in multiple states, consulting in initial program development and implementation.
- Provide clinical supervision within company/agency.
- Credentialed provider of psychological services, including psychotherapy and psychological assessments, specializing in treatment of sexual health-related issues.
- Conducts psychological evaluations and treatment recommendations regarding sexual behaviors and misbehaviors.
- Carries ongoing clinical caseload of therapy and mental health evaluations, diagnostic consultations.
- Oversee development of clinical services for outpatient psychotherapy, sex offenders, Assertive Community Treatment, autism services, and other programming, in Nevada, North Carolina and Kentucky.

Consultant: Current

- Provide clinical supervision, business, billing and practice management consulting to a wide variety of healthcare providers.
- Provide expert witness testimony on forensic matters related to mental health, sexuality, etc.
- Provide nationwide mental health/sexuality trainings for several national groups.

Professional/Community Organizations, Elected Offices Held

Member, American Psychological Association. Public Education Campaign Coordinator, New Mexico. 2015-2016. Left APA due to ethical concerns with the organization.

Member, New Mexico Psychological Association. 2007 - Present

Member of Board of Directors, President, Vice President, New Mexico Youth Provider Alliance/New Mexico Behavioral Health Provider Association. New Mexico. **2006 – Current.**

Board Member/Executive – Mental Health Response Advisory Committee (MHRAC). Member of DOJ-mandated advisory board to Albuquerque Police Department, reviewing and advising on mental health related law enforcement training and policy matters. Since 2015.

Member, Secretary, Board of Directors – Albuquerque Healthcare for the Homeless. Nonprofit federally qualified health center. Since 2016.

Member, Board of Directors, Parents for Behaviorally Different Children. Albuquerque New Mexico. **2006 – 2009.**

Committee Member, Value Options National Credentialing Committee. Virginia Beach, VA. **2007 – 2009.**

- Voting member, regarding credentialing of behavioral health providers for national panel.

Committee Member, High Desert Family Services Human Rights Committee. Albuquerque, NM. **2007 – Current.**

Committee Member, United Behavioral Health Credentialing Committee. **2009 – Current**

- Voting member, regarding credentialing of behavioral health providers for national panel.

Past Professional/Clinical Experience

2005 – 2007. Peer Reviewer, New Mexico Medical Review Association. Albuquerque, NM.

- Conduct second-level review of managed care denials and actions.

09/2003 – 09/2004. Manager, Behavioral Health Services, Lovelace Salud Health Plan. Albuquerque, NM.

- Administrative and clinical direction of the behavioral health services administered for 65,000 Medicaid members throughout New Mexico. Supervise Utilization Management and Care Coordination activities conducted by department staff.
- Departmental leadership, management of budget, personnel direction for department of twenty-five professional and clerical staff.
- Liaison and troubleshooting with representatives of other Managed Care Organizations, as well State and Federal agencies and special interest/advocacy organizations.
- Oversight of internal review practices to ensure quality of services provided by behavioral health practitioners.
- Oversight of reporting to State agencies on Medicaid spending and clinical services provided

by Lovelace. Oversight of successful audit presentations to multiple regulatory oversight agencies.

- Direction of departmental and company plans for transition of behavioral health department to different administrative systems and to provide management to new populations.
- Participate in state-wide groups designing and improving delivery of behavioral health services, both to specific populations and throughout the state. Active participant in Behavioral Health Redesign activities in New Mexico, involving fifteen State agencies and multiple private and public groups.

08/2002 – 12/2003. Private Practice. Private practice consulting in Las Vegas and Albuquerque, NM.

- Psychological Evaluations, including custody disputes, forensic issues and general therapeutic issues.
- Consultation re. program evaluation, including data analysis, research design and interpretation.

08/2002 – 09/2003. CARE Clinical Director. CARE Program. Las Vegas Medical Center, Las Vegas NM.

- Clinical lead for a residential treatment center for juvenile sex-offenders. Responsible for program development, improvement and evaluation. Administrative direction of staff, budget and program.
- Provide clinical supervision for staff and interns.
- Conduct psychological evaluations of juveniles.
- Privileged member of medical staff.
- Supervise communication and contact with behavioral health organizations, regarding payment for services. Oversee treatment plan, liaison with BHO management.
- Monitor and ensure compliance with licensing and certification requirements. Oversight of reporting to State agencies on Medicaid spending and clinical services provided by Lovelace. Oversight of successful audit presentations to multiple regulatory oversight agencies.
- Medical staff member of facility Ethics and Information Management Committees.
- Court testimony regarding treatment program and clients.
- Conduct adult forensic evaluations, as needed, at LVMC-Forensic Division.

10/2001-07/2002. Staff Psychologist. Ft. Bend County Juvenile Probation Department.

- Psychological evaluations of pre-adjudication juveniles.
- Provide formal and informal testimony to juvenile courts regarding psychological evaluations.
- Crisis intervention with juveniles.
- Supervised interns and practicum students.

09/2000-10/2001. Staff Psychologist. Jefferson County State School, Texas Youth Commission. Clinical duties:

- Perform comprehensive psychological evaluations for placement, referral, and treatment planning.
- Assess and intervene with suicidal youth.
- Crisis intervention for youth.
- Individual and group therapy with treatment-resistant youth.
- Conduct psychological assessments for Academic Review Determinations (ARDs) and make recommendations for school interventions and accommodations.

Supervision and management duties:

- Program development and assessment.
- Department liaison for facility accreditation process.
- Serve as acting director, in the absence of department head.
- Clinical supervision of therapists and service workers.
- Develop staff training on clinical issues involved in working with juvenile delinquents.
- Testify in legal proceedings regarding psychological treatment and evaluation of youth.

8/1999–8/2000. Clinical Psychology Intern. Baylor College of Medicine, Department of Psychiatry and Behavioral Sciences.

- Performed psychological (neuropsychological, personality, cognitive) assessments, on inpatient psychiatric unit, outpatient clinic and as part of the Baylor Adult Clinic for Attention Problems.
- Provided group and individual psychotherapy and psychological evaluations for adult sex-offenders in the Baylor Sex Abuse Treatment Program.
- Conducted child custody evaluations as part of the Baylor Family Law Program.
- Performed comprehensive psychological evaluations of children and adolescents in outpatient, partial hospitalization and school settings.
- Provided interpersonal, family and group psychotherapy with children and adolescents in outpatient and nontraditional settings.
- Treatment team for inpatient adult psychiatric unit.
- Provided group and individual psychotherapy to psychiatry inpatients.
- Member, Psychiatric Consultation and Liaison team to other hospital units.

6/1998-9/1999. ADHD Coordinator. ADHD Assessment Project, University of New Mexico Psychology Clinic. Administration and development of a testing program for ADHD.

- Conducted comprehensive psychological evaluations of children, adolescents, and adults referred for attentional problems.
- Provided feedback on evaluation results to individuals, families and teachers.

2/1998-8/1998. Psychological Evaluator. University of New Mexico Psychology Clinic. Supervisor: Dr. Matthews.

Conducted psychological evaluations for the Albuquerque Metro Court, and Probation Division.

1/1998-6/1998. Therapy Intern. Albuquerque Police Department Psychology Services.

- Interpersonal therapy with children of police officers, and their parents.
- Assisted in referral of police families and children to community resources.
- Participated in staff reviews of fitness-for-duty and pre-employment evaluations of police officers.

6/1997-9/1998. Practicum Intern. Family Assessment Intervention Resources Program(FAIR) Second Judicial District Court of New Mexico.

- Conducted initial interviews, personality testing and neuropsychological testing of couples court-ordered for domestic-violence and involved in custody disputes.
- Presented summary reports of intake evaluations to staff and provided recommendations for treatment course.
- Co-facilitated treatment groups of male partners of domestically violent couples.
- Provided individual domestic violence counseling.

- Participated as co-evaluator in court-ordered evaluations of competency to stand trial and in custody evaluations.

9/1996-8/1999. Therapist. University of New Mexico Psychology Clinic.

- Conducted interpersonal therapy with adults, adolescents, children and couples.
- Performed initial intake interviews and evaluations of incoming clinic patients, preparing intake summaries and reports.

6/1997-12/1997. Therapist. Cibola County Juvenile Corrections Center. University of New Mexico.

- Conducted interpersonal individual and group therapy with incarcerated male adolescents (14 adolescents between ages of 15 and 19).
- Conducted individual and group drug and alcohol counseling and anger management therapy as well as process-based psychotherapy.

Summer 1996. Psychology Trainee. Albuquerque Veterans Affairs Hospital.

Family Psychology:

- Assessed families, couples and individuals for treatment-oriented recommendations and evaluations.
- Provided psychotherapy to families, couples, and individuals including veterans and their relatives.

Spinal Cord Injury Unit:

- Completed assessments and annual psychological evaluations of spinal cord injured veterans.
- Conducted individual therapy with veterans with spinal cord injuries. Participated in Team Treatment meetings for inpatients.
- Trained on administration of various cognitive and neuropsychological instruments.

1996-1997. Diagnostic Interviewer. University of New Mexico Psychology Department.

- Administered Diagnostic and Statistical Manual-IV Structured Interview (SCID -IV) as part of ongoing clinical research project.

Summer 1994. Extern. Foundation For Families, Counseling and Consultation, Arnold, Maryland.

- Co-therapist for sex-offender treatment program.
- Assessed program methods and goals. Prepared and presented a written analysis subsequently used by program in developing treatment procedures.

Publications

Christine C. Call, Alexandra R. Tabachnick, Irene Tung, Stefanie L. Sequeira, Orma Ravindranath, Cassandra L. Boness, Lindsay Sortor, Lucy Ogbu-Nwobodo, David Ley, Kristen Eckstrand, and Debora J. Bell, "What Mental Health Professionals Need to Know to Protect Their Patients and Themselves in the Post-Dobbs Era", Scholars Strategy Network, September 2024.

Prause, N. & Ley, D. (2023) Violence on Reddit support forums unique to r/NoFap. Deviant Behavior. In press.

Grubbs, J., Fernandez, D., Fernandez, E., Ley, D. (2023) Antagonism drives link between

narcissism and perceived addiction to pornography. *Journal of Research in Personality*. In press.

Prause, Binnie, Ley. (2023). Iatrogenic sex therapies: emotional harms, violent threats, and expense of “Reboot” anti-masturbation programs, Poster presented at IASR, August 2023.

Prause, Pelosi, Ley. (2022). Content analysis of “Dignity” supports “grindstone” as a predatory journal type. Research Evaluation. In review.

Ley, D. (2019). Treating Those Who Struggle with Sexual Desires. In Hertlein, Ed., Systemic Sex Therapy, 3rd Edition. Routledge, in press. <https://doi.org/10.1007/s10508-018-1388-z>

Ley, D. (2019). Commentary: Contextualizing Use of Sexual Media—Just the First Step. Archives of Sexual Behavior, In press.

Ley, D. (2018). The pseudoscience behind public health crisis legislation. Porn Studies. Published online Feb 2018. [10.1080/23268743.2018.1435400](https://doi.org/10.1080/23268743.2018.1435400).

Lehmiller, J., Ley, D. & Savage, D. (2017). The Psychology of Gay Men's Cuckolding Fantasies. Archives of Sexual Behavior, In press.

Willging CE, Harkness A, Israel T, Ley D, Hokanson P, DeMaria M, Joplin A, Smiley V. (2017) Mixed-Method Evaluation of LGBTQ Peer Advocacy Intervention. Community Mental Health Journal, 54(4), 395-409. [10.1007/s10597-017-0168-x](https://doi.org/10.1007/s10597-017-0168-x)

Ley, D. & Grubbs, J. (2017). Commentary - The Sexhavior Cycle: Good Review, but Still Not Enough Data to Support A New Theory. Archives of Sexual Behavior. (In Press)

Ley, D. (2016) Ethical Porn for Dicks: A Man’s Guide to Responsible Viewing Pleasure. Three-L Press. Berkeley, CA.

Willging, C., Israel, T., Ley, D., Trott, E., DeMaria, C., Joplin, A., Smiley, V. (2016). Coaching mental health peer advocates for rural LGBTQ people. Journal of Gay & Lesbian Mental Health. [10.1080/19359705.2016.1166469](https://doi.org/10.1080/19359705.2016.1166469).

Ley, D. (2016). “The Use of “Sex Addiction” in U. S. Legal Proceedings.” In Very Different Voices: Perspectives and Case Studies in Treating Sexual Aggression. David Prescott & Robin Wilson, Ed. NEARI Press. Holyoke, MA.

Israel, T., Willging, C., & Ley, D. (2016). Development and Evaluation of Training for Rural LGBTQ Mental Health Peer Advocates. Journal of Rural Mental Health. In press.

Ley, D. (2016). “Sex Addiction: An Iatrogenic and Moral Concept.” In, *The International Handbook of Sexual Addiction*, Thaddeus Birchard and Joanna Benfield, Eds. Routledge International. In press.

Ley, D., Brovko, J., Reid, R. (2015) Forensic applications of “sex addiction” in US legal proceedings. *Current Sexual Health Reports*. DOI: [10.1007/s11930-015-0049-7](https://doi.org/10.1007/s11930-015-0049-7)

Greenfield, B., Owens, M., Ley, D. (2014) Opioid Use in Albuquerque, New Mexico: A Needs Assessment of Recent Changes and Treatment Availability. *Addiction Science & Clinical Practice*. 2014, 9:10 DOI: [10.1186/1940-0640-9-10](https://doi.org/10.1186/1940-0640-9-10)

Israel, T., Willging, C. E., & Ley, D. J. (2014, August). Development and Evaluation of Training for LGBTQ Mental Health Peer Advocates. Poster accepted for presentation at the American Psychological Association Annual Convention, Washington, DC.

Ley, David, Prause, Nicole, Finn, Peter. (2014) The Emperor Has No Clothes: A Review of the “Pornography Addiction” Model, *Current Sexual Health Reports*. DOI 10.1007/s11930-014-0016-8.

David J. Ley Ph.D. (2014) A Review of “Treating Transgender Children and Adolescents: An Interdisciplinary Discussion”, *Journal of Sex & Marital Therapy*, 40:1, 69-70, DOI: [10.1080/0092623X.2013.854548](https://doi.org/10.1080/0092623X.2013.854548)

Ley, David J. (2013) “Sex and Religion in a Three-Dimensional Context.” *Sexuality & Culture*: 17, Issue 1 (2013), Page 185-188

Semansky, R., Willging, C., Ley, D., Rylko-Bauer, B. (2012) Lost in the Rush to National Reform: Recommendations to Improve Impact on Behavioral Health Providers in Rural Areas. *Journal of Health Care for the Poor and Underserved* 23 (2012): 842–856.

Ley, David J. (2012) The Myth of Sex Addiction. Rowman & Littlefield. Lanham, MD.

Ley, David J. (2009) Insatiable Wives: Women who stray and the men who love them. Rowman & Littlefield. Lanham, MD.

Ley, David J. & Ruebush, Britton K. (1998) Correlates and Predictors of Broken Appointments at a Family and Child Guidance Center. *Psychiatric Outpatient Centers of America (POCA) Press*, 25, (1), p. 17-20.

Selected Media Presentations

2009-Present “Women Who Stray Blog.” Psychology Today. Over 15 million readers. <https://www.psychologytoday.com/us/blog/women-who-stray>

2022. The Wall Street Journal. Startups aim to broaden the market for sexual health devices. Hallie Lieberman. <https://www.wsj.com/articles/startups-aim-to-broaden-the-market-for-sexual-health-devices-11641571215>

2021. CNN. After Billie Eilish talks about porn, experts urge parents and kids to have straight talk about sex. Matt Vilano. <https://www.cnn.com/2021/12/23/health/billie-eilish-porn-sex-education-wellness/index.html>

2021. Dr. Phil Show. <https://www.drphil.com/videos/woman-asked-to-consider-alternate-explanation-for-some-of-her-beliefs-threatens-to-walk-off/>

2021. Santa Fe New Mexican. Santa Fe County opens crisis treatment center at La Sala. https://www.santafenewmexican.com/news/local_news/santa-fe-county-opens-crisis-t

[reatment-facility-at-la-sala/article_e9c8f1ae-ff74-11eb-bed3-9b957b18c872.html?utm_medium=social&utm_source=email&utm_campaign=user-share](https://www.washingtonpost.com/nation/2021/03/18/sex-addiction-atlanta-shooting-long/)

2021. Washington Post.

<https://www.washingtonpost.com/nation/2021/03/18/sex-addiction-atlanta-shooting-long/>

2019, The Daily Show with Trevor Noah. Why is the Alt-Right So Angry?

<https://www.cc.com/video/bgws7v/the-daily-show-with-trevor-noah-why-is-the-alt-right-so-angry>

2019, The Shake-Up. Documentary film. Ben Altenberg, Director.

2019, June. The New York Times.

<https://www.nytimes.com/2019/06/07/us/hate-groups-porn-conspiracy.html>

2019, March. Gizmodo.

<https://gizmodo.com/the-fake-sex-doctor-who-conned-the-media-into-publicizi-1832711205>

2018, February. The Washington Post.

https://www.washingtonpost.com/national/in-utah-the-fight-against-porn-is-increasingly-being-framed-as-a-public-health-crisis/2018/02/17/87bf761e-13ea-11e8-9065-e55346f6de81_story.html?utm_term=.8253803e724d

2017 November – Dr. Oz Show:

http://www.doctoroz.com/episode/sex-rehab-therapy-sex-addiction-real-or-pr-stunt?video_id=5648075120001

2017 November The Economist Magazine. Emily Bobrow.

<https://www.1843magazine.com/features/can-you-really-be-addicted-to-sex>

October 2017 – CBC Radio. Bob MacDonald.

<http://www.cbc.ca/radio/quirks/october-21-2017-1.4363723/sorry-harvey-weinstein-sex-addiction-isn-t-real-1.4363737>

2017 September – Report from Santa Fe. <http://reportfromsantafe.com/>

2017 February – Addicted to Porn: Chasing the Cardboard Butterfly. Justin Hunt, Director.

<http://www.imdb.com/title/tt5946552/>

2016 Time Magazine. April. Belinda Luscombe

<http://time.com/magazine/us/4277492/april-11th-2016-vol-187-no-13-u-s/>

2016 Congressional Quarterly, October. Sarah Glazer: <http://library.cqpress.com/cqresearcher>

2016 The Economist. November. Emily Brobow.

<https://www.1843magazine.com/features/whats-wrong-with-infidelity>

2014 NPR, On Point with Tom Ashbrook.

<http://onpoint.wbur.org/2014/04/23/life-coaching-therapy-big-business>

2014 CBC, Day 6.

<http://www.cbc.ca/day6/blog/2014/03/27/nymphomaniac-is-sex-addiction-real/>

2014 Generation Porn. CBC Radio, Ideas with Paul Kennedy.

<http://www.cbc.ca/ideas/episodes/2014/03/10/generation-porn/>

2014 Porn, Addictive? There's no proof. Tracy Clark Flory. Salon.

http://www.salon.com/2014/02/16/porn_addictive_theres_no_proof/

2014 Why porn addiction isn't drug or alcohol addiction, or even an addiction at all. Chris Weller, Medical Daily.

<http://www.medicaldaily.com/why-porn-addiction-isnt-drug-or-alcohol-addiction-or-even-addicti-on-all-269242>

2014 Is sex addiction a legitimate disorder? Addiction Professional Magazine.

<http://www.addictionpro.com/article/sex-addiction-legitimate-disorder>

2013 SBS Insight. Guest appearance on Australian public television show.

<http://www.sbs.com.au/insight/episode/overview/577/Sex-Addiction>

2009-2013 Dr. Phil Show. Multiple guest appearances as expert on sexuality and sex addiction.

2012 Anderson Cooper Show. <http://www.youtube.com/watch?v=ZgAorrSKZGw>

Selected Invited Presentations and Lectures

June 13, 2024: Social Media and Sexual Health Information. International Society for Sexual Medicine (ISSM).

June 1 & 2, 2024: Ethics and Ethical Decision-Making for Sexual Health Professionals. Sexual Health Alliance.

April 5, 2024. PLENARY: Leading clients to water: Hypersexuality and research-based methods to decrease distress | Nicole Prause, PhD & David Ley, PhD. SSTAR, Toronto CA.

February 16, 2024. Maintaining Sex Positive Mentality Amidst Moral Panics. Center for Sex Positive Sexuality Conference, Burbank CA.

August 1, 2023. Integrating Principles of Sexual Health Into Clinical Practice. UNM HIV ECHO program.

November 2020. Forensic Misuse of Sex Addiction Diagnosis and Treatment. University of New Mexico Medical School, Department of Psychiatry. Law and Mental Health Services.

April, 2019. Keynote: Developing Responsible use of Pornography in Adolescents. Continuum Conference, Toronto, CA.

November 12, 2018. Developing Sexual Integrity. The Masculinity Paradox: Sessions with Esther Perel. New York City. <https://events.estherperel.com/sessions-live-2018/>

September 29, 2017. Integrating Porn and Love. Stanford University. World Sexual Health Day.

October 2016. Adult Attachment and Modern Sexual Diversity. NM Psychological Association. Albuquerque NM.

September 2016. Keynote. CatalystCon West. Los Angeles

August 2016. Moving Beyond Sex Addiction. Closing keynote, AASECT Summer Institute. St. Louis MO.

April 2016. Keynote. SSTAR Annual conference. Chicago.

2015 Transitioning to the DSM-5 and ICD-10. A clinical and logistical overview for behavioral health providers. NM Behavioral Health Provider Association.

2014 Role of Pornography in Sexual Relationships and Culture. Southwestern College, Santa Fe, NM. Certificate in sexuality counseling

2014 Guest Lecturer: Harvard University, Human Sexuality

2012 The Impact of the Sex Addiction Industry on Sexual Freedoms. The Center for Sex and Culture, San Francisco, CA.

2012 Addressing the Myth of Sex Addiction in Sexological Services. The Institute for Human Sexuality, San Francisco, CA.

2012 Developing a Peer Advocate Intervention for Rural LGBTQ Populations. Presented at: 2012 Psychosocial Rehabilitation Association of New Mexico Conference; 2012 New Mexico Consumer Wellness Conference

2012 Keynote Presentation: The Myth of Sex Addiction. 5th Annual Alternative Sexualities Conference, Chicago.

2009 Suicide Intervention, Assessment and Triage. Highlands University.

2009 Normative Adolescent Sexuality – 4th Annual Sexual Assault Conference – Farmington, NM

2007 The Out-of-Home Behavioral Healthcare System of New Mexico. New Mexico Association of Social Work Supervisors Fall Conference.

2007 Suicide Intervention, Assessment and Triage. New Mexico Psychological Association. University of New Mexico Clinical Psychology Graduate Program.

2007 Suicide Prevention in a Primary Practice Medical Setting. Sandia Laboratories.

2007 Suicide Prevention in Foster Care. Albuquerque Treatment Foster Care Training Collaborative.

2006 Normative Adolescent Sexuality. New Mexico Youth Provider Alliance/6th Annual Multi-Regions Youth Services Conference.

2006 Child and Adolescent Sexuality in a School Setting. Ralph Bunch Charter School, Albuquerque, NM.

2006 Working with the Wild Child: Dealing with the Difficult Child and Family. American Counseling Association 2006 Conference.

2005 Supporting Parents in Dealing with Adolescent Behavioral Health and Chemical Dependency Issues. New Mexico MESA Inc. Parent Learning Institute.

DISCLOSURE OF EXPERT WITNESS DR. MARTY KLEIN

I. STATEMENT OF PRINCIPLES, METHODOLOGY, AND OPINION

Dr. Marty Klein has a Ph.D. in Human Sexuality, an M.A. in Sociology and an M.A. in Clinical Psychology. Dr. Klein has been a Licensed Marriage & Family Therapist for 44 years. He is also Certified as a Sex Therapist, Sex Therapist Supervisor, and Provider of Continuing Education by the American Association of Sex Educators, Counselors, and Therapists. Dr. Klein is also the award-winning author of seven books about sexuality.

Dr. Klein is expected to offer his opinion that people commonly change their narrative (or “memory”) of their experiences retrospectively, particularly experiences pertaining to sexuality and sexual experiences.

II. BASES FOR OPINION AND METHODOLOGY

Dr. Klein’s opinion that individuals commonly change their narratives or recollections of their sexual experiences in retrospect is supported by the years of professional and clinical experience he has gained while working in the field of human sexuality, and a large body of research that provides, in part, the bases for his opinion. To wit, Dr. Klein will refer to and cite scientific research about the nature of memory, including the works of Dr. Elizabeth Loftus, Distinguished Professor in the Departments of Psychology, Criminology, and Cognitive Sciences at the University of California, Irvine. Dr. Loftus revolutionized how the public -and the courts- think about the alleged stability of memory, and authored seminal books on the topic, including “Eyewitness Testimony” (1979); “Memory: Surprising New Insights into How We Remember and Why We Forget” (1980); “Witness for the Defense: The Accused, the Eyewitness, and the Expert Who Puts Memory on Trial” (1991); and “The Myth of Repressed Memory: False Memories and Allegations of Sexual Abuse” (1996), as well as her dozens of peer-reviewed journal articles describing her experiments influencing subjects’ memories.

Dr. Klein will focus his opinion on memory as it relates to sexuality and the human sexual experience. He will testify about how societal expectations about sexuality have changed over the past 10 years and how those shifts in attitude can impact perspectives on issues related to consent.

Dr. Klein will also discuss the “Misinformation Effect,” which describes how recall of personal memories can become less accurate upon the receipt of post-event information. Misinformation, or reinterpretation, presented to a person after an experience, and sometimes years later, commonly interferes with their ability to retain and recall previously encoded, and typically more accurate, information.

The Misinformation Effect has been studied since the 1970s by Dr. Loftus and others. Psychologists such as Danna M. Challies and others have shown that original information, and subsequent information presented after an experience, can blend together into one’s account, or beliefs, of an experience or experiences¹ (*Journal of the Experimental Analysis of Behavior*, 2011). Other researchers such as Han Yuhwa believe that because subsequent, misleading information is most recent, it is more easily retrieved.² (*American Journal of Psychology*, 2017).

Dr. Klein will focus on factors an individual may experience that may affect memory, perceptions and recollections, such as challenges to sexual identity over time, confusion about the nature and definitions of consent (both their own and their partners’), conflicts between their personal sexual experiences, and social, religious, ethnic, or family norms and expectations, changes in their narratives of experiences (“memories”), such as infidelity, and other sexual experiences. He derives his opinion as to these factors from his clinical and professional experience, and studies and research in the field, as mentioned above.

III. QUALIFICATIONS

Dr. Klein is a Licensed Marriage & Family Therapist and Certified Sex Therapist with 44 years of experience, having spent approximately 50,000 hours working with, and studying, the behaviors and characteristics of men, women, and couples. He is an award-winning author of seven books about sexuality, and has authored multiple peer-reviewed articles and book chapters. He has received professional recognition awards from professional societies including the Society for Advancement of Sexual Health; the Society for the Scientific Study of Sex; the

¹ *Whatever Gave You That Idea? False Memories Following Equivalence Training: A Behavioral Account of the Misinformation Effect*, Danna M Challies, Maree Hunt, Maryanne Garry, David N Harper, *Journal of the Experimental Analysis of Behavior*, 2011 November.

² *The Misinformation Effect and the Type of Misinformation: Objects and the Temporal Structure of an Episode*, Yuhwa Han, *The American Journal of Psychology* Vol. 130, No. 4 (Winter 2017), pp. 467-476

American Association of Sex Educators, Counselors, & Therapists; and the California Association of Marriage & Family Therapists.

Furthermore, Dr. Klein has served as an instructor at Stanford Medical School, has given two Congressional briefings on evidence-based sex education, and has trained psychologists and physicians in over 40 countries.

Dr. Klein has been qualified as an expert in various state and federal courts in areas including human sexuality, sexual dysfunction, adult entertainment, obscenity, pornography, sexual behavior, fetishes, sexting, cybersex, sexual fantasy, and age role-play.

IV. LIST OF CASES

In the last five years, Dr. Klein has been retained as an expert or testified as an expert in the following cases:

US v Hopkins (OR, 2019)

Oregon v Hitson (OR, 2019)

US v. Micah Mardo CR 18-026RSM (WA, 2019)

Washington v Sprague (WA, 2020)

People v. John Robert Koffler (GA, 2020)

City of Marietta v. 63 COBB; E.R.L.; and 341 COBB (GA, 2023)

Marty Klein, Ph.D 10/21/24

Marty Klein, Ph.D

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Education:

BA, Sociology, State University of New York, Stony Brook
MA, Sociology, Indiana University, Bloomington
MA, Clinical Psychology, Fielding Institute, Santa Barbara
Doctoral Candidacy in Sociology, University of California, Santa Barbara
PhD, Institute for Advanced Study of Human Sexuality, San Francisco

Licensure & Certification:

California Licensed Marriage & Family Therapist (MFT15392)
AASECT Certified Sex Therapist
AASECT Certified Continuing Education Provider
SASH Certified Clinical Supervisor

Clinical Experience:

Private practice (1980-present):
Individual psychotherapy and couples counseling
Sex therapy with individuals & couples—45,000 sessions to date
Eclectic theoretical orientation, including Psychodynamic, Gestalt, Object Relations,
Existential, Cognitive-Behavioral Therapy

Books (available in 15 languages):

Your Sexual Secrets: When to Keep Them, When & How to Tell
Dutton, 1988

Ask Me Anything: A Sex Therapist Answers the Most Important Questions
Simon & Schuster, 1992

Let Me Count The Ways: Discovering Great Sex Without Intercourse
Tarcher/Putnam, 1999

Beyond Orgasm: Dare to be Honest About the Sex You Really Want
Ten Speed Press, 2002

America's War On Sex: The Attack on Law, Lust, and Liberty
Praeger, 2006 (2nd edition 2014)

Sexual Intelligence: What We Really Want From Sex, and How to Get It
HarperCollins, 2012

His Porn, Her Pain: Confronting America's PornPanic With Honest Talk About Sex
Praeger, 2016

Book Chapters:

Taking Sides, ed. Robert Francoeur, Ph.D.; Dushkin, 1991

Handbook of Clinical Child Psychology, ed. C.E. Walker, Ph.D.; John Wiley, 1992

Treating Sexual Disorders, ed. Randolph Charlton, M.D.; Jossey-Bass, 1996

Pornography: Film & Culture, ed. Peter Lehman, Ph.D.; Rutgers Univ. Press, 2006

Contributor, *International Encyclopedia of Sexuality* Wiley-Blackwell, 2015

Articles (sample list):

~ Prescribing PDE5 Inhibitors: Best Practices, Common Practices, & Controversies. Current Sexual Health Reports (2023)

~ Pornography: The Narrative of Public Health. The International Encyclopedia of Human Sexuality (2015)

~ Defining Sexual Harassment: Who Decides? Archives of Sexual Behavior (2019)

~ A "Progressive" Movement Holding Sexuality Hostage. Journal of Sex Research (1994)

~ S/M Interest as an Issue in a Child Custody Proceeding. Journal of Homosexuality (2006)

~ Sex Addiction: A Dangerous Clinical Concept. Electronic Journal of Human Sexuality (2002)

~ Sexual Diversity: It's About More Than Sexual Orientation. The California Therapist

Training, Speaking, & Consulting (sample list):

Federal Public Defender's Office

U.S. Department of Health & Human Services

Stanford University Hospital

Phoenix Interfaith Counseling Center

Planned Parenthood Federation of America

Idaho Psychological Association

Lutheran Family & Children's Services of Missouri

Association for Voluntary Surgical Contraception

Milton Erickson Foundation

National Association of Social Workers

California Association of Marriage & Family Therapists

American College of Surgeons

University of Illinois

American Cancer Society of California

Catholic Healthcare West

Junior League: National Training Conference on Reducing Teen Pregnancy

American Psychological Association

Teaching Positions:

Stanford University School of Medicine (adjunct)
Syracuse University Institute for Sex Educators
Humanist Institute of North America

Recognition & Awards:

Distinguished Service Award, Society for the Scientific Study of Sexuality (SSSS)
Literary Achievement Award, California Association of Marriage & Family
Therapists (CAMFT)
Best Sexuality Book, American Association of Sex Educators, Counselors,
and Therapists (AASECT)
Media Award, Society for the Advancement of Sexual Health (SASH)
Honorary Member, Croatian Society for Medical Hypnosis
Congressional Briefings on Evidence-Based Sex Education

Editorial Boards:

Contemporary Sexuality (emeritus)
Journal of Porn Studies (founder, retired)
Blogger for Psychology Today

Professional Memberships:

American Association of Sex Educators, Counselors, & Therapists
California Association of Marriage & Family Therapists
Society for the Advancement of Sexual Health

International Teaching & Government Consulting:

Croatia	Turkey	Austria	Italy	Ukraine
U.S.S.R.	Morocco	Bulgaria	Slovenia	Belgium
Latvia	Israel	Mexico	New Zealand	Vietnam
Estonia	Macedonia	Canada	Azerbaijan	India
Argentina	China	Australia	Hong Kong	Germany
Singapore	Japan	Poland	Greece	Myanmar
Hungary				

Qualified Forensic Expert (state, federal, & international courts):

Human sexuality, sexual dysfunction, adult entertainment, obscenity, pornography,
sexual behavior, fetishes, sexting, cybersex, sexual fantasy, age role-play

Website & Blog:

www.SexEd.org

Disclosure as to Expert Witness Dr. Daniel Kriegman

October 21, 2024

I. Statement of Opinions, Bases, and Reasons

The following is a complete statement of all opinions that the defendants will elicit from Dr. Daniel Kriegman, along with the bases and reasons for them.

Dr Daniel Kriegman is a psychologist licensed in Massachusetts where he operates a private practice providing psychotherapeutic treatment and evaluations of individuals. In addition to his clinical experience and training, he has expertise in evolutionary psychology, forensic psychology involving risk assessment for civil commitments, the prediction of dangerousness, and organizational behavior. He served as the Chief Psychologist and the Director of Supervision and Training at the Massachusetts Treatment Center for Sexually Dangerous Offenders where he was employed from 1977 to 1986. He has been deemed an expert witness in Iowa, New York, Canada, and in Federal District Court (Massachusetts). He has published papers in peer reviewed journals focusing on the process of psychotherapy, cults, risk assessment, and models of the human psyche. He co-authored (with Malcolm Slavin) *The Adaptive Design of the Human Psyche*. He is also the author of *The Book of War: The Evolutionary Biology of Racism, Religious Hatred, Nationalism, Terrorism, and Genocide*. He is a lifetime member of the American Psychological Association. He has carried out original research into the nature of the tie between cult members and their leaders. This research was published in two peer reviewed journals and a book.¹

A. Organizational Behavior and the Characteristics of Pernicious Cults

Dr. Kriegman will testify about organizational behavior and the nature and characteristics of pernicious cults, providing an empirical understanding that distinguishes between organizations that may display characteristics commonly considered to be “cult-like” and those that can be classified as pernicious cults based on an exploitative relationship between the organization and those who participate in it. His testimony will include:

1. Definition of Cult Characteristics:

Dr. Kriegman will identify four key characteristics typical of cults:

- (a) Adoption of unorthodox beliefs that diverge significantly from the larger culture;
- (b) Beliefs not based on direct experience or testable ideas, but on faith in authoritative declarations;

¹ Kriegman, D. & Solomon, L. (1985a). Cult groups and the narcissistic personality: The offer to heal defects in the self. *International Journal of Group Psychotherapy*, 35, 2, 239-261.

Kriegman, D. & Solomon, L. (1985b). Psychotherapy and the "new religions": Are they the same? *Cultic Studies Journal*, 2, 1, 2-16.

Kriegman, D. (2023). *The Book of War: The Evolutionary Biology of Racism, Religious Hatred, Nationalism, Terrorism, and Genocide*. Natural Selections.

- (c) Significant investment of life energy by participants in supporting and spreading the belief system; and
- (d) Considerable group participation required.

2. Distinction between Cults and Pernicious Cults:

Dr. Kriegman will testify that while an organization may exhibit some cult-like characteristics, this alone does not make it harmful or exploitative. He distinguishes pernicious cults by the following additional feature:

- (e) Exploitation of participants, where the organization operates to the detriment of participants and/or larger society, often benefiting leaders to a degree that is abusive to the participants.

3. Context of Cult Characteristics:

Dr. Kriegman will testify that the characteristics of a cult as defined by this four-part test are also all characteristics of the **early** versions of all modern, successful religions as well as many successful businesses, many scientific revolutions, and many positive social movements (e.g., women's suffrage and abolitionism). Today, half the population of the world are believers in two religions that started out as unmistakable cults (Christianity and Islam). Because they no longer are inconsistent with the beliefs of the larger communities within which the believers practice their religion, they no longer meet the first criterion (unorthodox or strange) and thus they are no longer cults; they are religions.

4. Importance of Evidence-Based Assessment:

Dr. Kriegman will emphasize the necessity of thorough, evidence-based evaluation of an organization's practices, impact on participants, and leadership dynamics before classifying it as a pernicious cult.

B. Application of Framework to OneTaste:

Dr. Kriegman will present his analysis of OneTaste based on his cult assessment framework:

1. Evaluation of Cult Characteristics in OneTaste:

- (a) Unorthodox Beliefs: Dr. Kriegman will discuss how some OneTaste practices and philosophies diverged from mainstream culture, particularly regarding sexuality and personal development.
- (b) Basis of Beliefs: He will testify about the existence of an empirical basis for OneTaste's core practice (Orgasmic Meditation), citing peer-reviewed studies on its effects.
- (c) Participant Investment: Dr. Kriegman will present data on the varying levels of involvement and investment by OneTaste participants, noting that intense commitment was not typical for most participants.
- (d) Group Participation: He will discuss the range of participation options in OneTaste, from casual involvement to more intensive community experiences.

2. Assessment of Potential Exploitation:

The defendants expect that Dr. Kriegman will present his findings on:

- (a) Financial practices, including refund policies and profit margins
- (b) Leadership and executive management dynamics, particularly the founder's approach to idealization
- (c) Participants' ability to leave the organization
- (d) Impact on external relationships of participants

3. Comparative Analysis:

Dr. Kriegman will contextualize OneTaste's practices within the broader landscape of self-improvement organizations, highlighting distinctions from typically exploitative pernicious cult practices.

4. Conclusion on OneTaste Classification:

Based on his analysis, Dr. Kriegman will present his expert opinion on whether OneTaste meets the criteria for a pernicious cult, emphasizing the importance of distinguishing between unconventional practices and exploitative behaviors.

C. Bases and Reasons

Dr. Kriegman's testimony will be based on his training, experience, and research in this field. As documented in his enclosed curriculum vitae, Dr. Kriegman has actively worked in the areas of psychology and the psychology of organizational behavior over five decades, treating or supervising the treatment of many hundreds of individuals. He has held various senior administrative roles in clinical practice, including Chief Psychologist, Massachusetts Treatment Center for Sexually Dangerous Offenders and Clinical Director, Adolescent Rehabilitation Program at the Dr. Solomon Carter Fuller Mental Health Center. Furthermore, through his teaching, supervision and research, he is familiar with the larger body of qualitative research in this field.

II. Qualifications

As noted above, Dr. Kriegman's qualifications are documented in his curriculum vitae, which is enclosed. His curriculum vitae documents his professional experience, as well as his publications over the last ten years. In sum, Dr. Kriegman is a Massachusetts licensed clinical psychologist. His clinical work, research, publications, and teaching have focused on group psychology and social psychology. Dr. Kriegman pioneered the group therapy approach to psychotherapy with sex offenders, and has run group therapy sessions for over forty years.

III. Cases

The following is a list of legal proceedings in which Dr Kriegman has been qualified to testify under oath as an expert within the last four years.

Date of Testimony	Case Name and Legal Issue	Court
7/31/19	UNITED STATES of AMERICA v. MICHAEL REEVES, CIVIL NO. 1:18-cv-12271-DJC Diagnosis and forced medication treatment	United States District Court District of Massachusetts
9/11/19	COMMONWEALTH v. MICHAEL BOTELHO Competence to waive Miranda rights	Plymouth Superior Court
3/9/20	MICHAEL FULLER v. COMMONWEALTH Sexual dangerousness commitment hearing	Suffolk Superior Court
12/9+10/20	CARA SEGAL — evaluation for social work licensing complaint based on sexual misconduct	Massachusetts Social Work Licensing Board
12/17/20	CHELLE JACQLINE MUNROE v. SEX OFFENDER REGISTRY BOARD — Risk assessment	Sex Offender Registry Board
6/18/21	ESMERALDA PAVAO — Conservatorship and guardianship petitions due to dementia	Probate and Family Court Bristol Division
7/20/21	COMMONWEALTH v. PAUL WHITNEY Sexual dangerousness commitment hearing	Bristol Superior Court
7/26/21	COMMONWEALTH v. STEVEN WAYLEIN Sexual dangerousness commitment hearing	Essex Superior Court
10/20/21	BRIAN GLOVER v. COMMONWEALTH Sexual dangerousness commitment hearing	Suffolk Superior Court
10/21/21	COMMONWEALTH v. JAMES COTY Sexual dangerousness commitment hearing	Berkshire Superior Court
1/27/22	KEYSHAWN WILLIAMS v. SEX OFFENDER REGISTRY BOARD — Risk assessment	Sex Offender Registry Board
4/25/22	COMMONWEALTH v. RYAN LEASTON Criminal responsibility	Hingham District Court
5/5/22	COMMONWEALTH v. JOSEPH DREW Accuracy of memories of abuse	New Bedford District Court
1/23/23	HIS MAJESTY the KING v. BABA OUEDRAOGO Sexual dangerousness risk	Ontario Court of Justice at Old City Hall in Toronto

CURRICULUM VITAE

DANIEL KRIEGMAN, PH.D.

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Newton, MA 02467-3021
(617) 527-1631
kriegman@aol.com

EDUCATION

- B.A. State University of New York at Buffalo, 1974
Major: Psychology
Honors: Departmental and University Honors,
Magna Cum Laude
- M.A. Boston University, 1977
- Ph.D. Boston University, 1980
Area: Clinical Psychology
NIMH Fellowship: 1974-75, 1975-76
Teaching Fellowship: 1974-75

CLINICAL and ADMINISTRATIVE EXPERIENCE

- 1981 - Private Practice, Cambridge and Newton, MA. *Individual, couple, family, and group psychotherapy, clinical supervision, evaluations of Sexual Dangerousness (M.G.L. c. 123A), and expert witness evaluations including testimony for the courts (commitment, competency, and substituted judgment under M.G.L. c. 123, criminal responsibility evaluations, risk assessment, aid-to-sentencing, treatment planning, custody evaluations).*
- 1989 - 1995 Clinical Director and Co-Founder, [Counseling and Psychotherapy Center of Greater Boston](#) (a private, group practice specializing in the assessment and treatment of sex offenders and abusive men).
- 1987 - 1993 Founder & President, Human Services Cooperative, Inc. (a worker-owned, human service provider operating through contracts with state agencies, third party payers, and client fees). *Oversaw the operation and rapid growth (beginning in fiscal year 1990, revenues exceeded 1.2 million dollars) of a human service provider agency. Contracts included the Crisis Services Program at the Solomon Mental Health Center in Lowell (staff of 18 highly experienced masters and doctoral level clinicians and psychiatrists providing the first line of contact [including containment and stabilization, if necessary] and referral for mental health clients in the Lowell catchment area) and all of the psychological and psychiatric services (e.g., court evaluations and psychopharmacology) at the Massachusetts Treatment Center for the Sexually Dangerous Offender.*
- 1986 - 1987 Director of Clinical Services, Counseling Services of [Massachusetts Mentor, Inc.](#) (a licensed mental health clinic with three sites). *Responsible for selection of all staff, establishment of job descriptions and assignments, overall supervision of staff, policies and procedures, program evaluation, in-service training for professional staff, and budget management.*
- 1977 - 1986 Chief Psychologist, [Massachusetts Treatment Center for the Sexually Dangerous Offender](#) (a two hundred fifty bed, long-term, secure inpatient facility). *Began in 1977 as a Staff Psychologist in a part-time position consisting of intensive individual and group psychotherapy, intake evaluations, diagnostic testing, and evaluations for community access. After promotions to Chief Psychologist, held the position of Unit Director for approximately 130 committed patients, responsible for all clinical services on the unit. Most recent positions included two separate areas of responsibility: Director of Supervision and Training for the direct service staff (over 50 non-custodial, clinical, DMH employees); Director of Intake and Treatment Planning for all patients sent to the Treatment Center for evaluation for commitment (Intake), and those who were newly committed (Treatment Planning).*
- 1981 - 1983 Psychologist, North Shore Professional Associates, Inc., Beverly, MA; (a private group practice). *Part-time position consisting of individual, couples, and family treatment, psychodiagnostic testing, psychotherapy supervision, and custody evaluations for the courts.*
- 1981 - 1982 Family Therapist, Family Continuity Program, Beverly, MA (an outpatient alternative to hospitalization that provides a variety of intensive services to the family of an "identified" adolescent patient). *Part-time position as the first family therapist for FCP, Inc. (often providing treatment in the home of a "dysfunctional" family); also provided individual and group psychotherapy, and clinical supervision of staff.*
- 1979 - 1981 Clinical Director, Adolescent Rehabilitation Program at the Dr. Solomon Carter Fuller Mental Health Center (an intensive, highly-funded, long-term, secure, inpatient unit for severely disturbed, acting out adolescents). *Full-time position supervising 40 clinical, educational, and milieu staff responsible for the overall treatment, education, and management of 12 adolescents, and expert witness evaluations and testimony for the courts (commitment hearings). ARP was the Boston area Regional Adolescent Program (RAP), which was the precursor to today's Intensive Residential Treatment Programs (IRTP).*

RESEARCH, TEACHING, and CONSULTING

- 2018 - Creative Consultant, Edgeline Films, [Couples Therapy](#), a Showtime documentary series exploring couples therapy.
- 2005 - 2012 Editorial Board, *The Journal of Sexual Offender Civil Commitment: Science and the Law*. A peer-reviewed journal publishing articles of original research, review, and commentary on issues related to the civil commitment of sexual offenders, including assessment and treatment of sexual offenders.
- 1993 - 1999 Faculty and Founding Board Member, [Psychoanalytic Couple and Family Institute of New England](#)
- 1993 - 2003 Faculty, Massachusetts Institute for Psychoanalysis
- 1981 - 1988 Seminars at the Northeast Society for Group Psychotherapy and seminars and courses at the Boston Institute for Psychotherapy.
- 1974 - 1980 Doctoral Thesis, Boston University: A psychosocial study of religious cults from the perspective of self psychology.
- 1977 - 1979 Instructor: Boston University, Lesley College, and Massasoit College. Seven courses in these areas: General Psychology, Introduction to Abnormal Psychology, and Personality Theory.
- 1977 - 1978 Psychological Testing Supervisor, Boston University Graduate School: Psychodiagnostic Testing.
- 1974 - 1975 Teaching Fellow, Boston University: Personality Theory, Abnormal Psychology.
- 1973 - 1974 Teaching Assistant, SUNY at Buffalo: Research Methods.

PUBLICATIONS

- Kriegman, D. & Biederman, I. (1980). [How many letters in Bidwell's ghost? An investigation of the upper limits of full report from a brief visual stimulus](#). *Journal of Perception and Psychophysics*, 28, 82-84. [Featured in Scientific American](#), 252, 2, 126-127, 1985.
- Kriegman, D. & Solomon, L. (1985a). [Cult groups and the narcissistic personality: The offer to heal defects in the self](#). *International Journal of Group Psychotherapy*, 35, 2, 239-261.
- Kriegman, D. & Solomon, L. (1985b). Psychotherapy and the "new religions": Are they the same? *Cultic Studies Journal*, 2, 1, 2-16.
- Kriegman, D. (1986). The treatment of the sexually dangerous offender: a multi-modal approach utilizing the perspective of self psychology. Paper presented at The Massachusetts Treatment Center for Sexually Dangerous Persons.
- Kriegman, D. (1988). [Self psychology from the perspective of evolutionary biology: Toward a biological foundation for self psychology](#). In A. Goldberg (Ed.), *Progress in Self Psychology* (Vol. 3, pp. 253-274). Hillsdale, New Jersey: The Analytic Press.
- Slavin, M. O. & Kriegman, D. (1988). Freud, biology, and sociobiology. *American Psychologist*, 43, 658-661.
- Kriegman, D. & Knight, C. (1988). [Social evolution, psychoanalysis, and human nature](#). *Social Policy*, 19, 2, 49-55.
- Kriegman, D. & Slavin, M. O. (1989). The myth of the repetition compulsion and the negative therapeutic reaction: An evolutionary biological analysis. In A. Goldberg (Ed.), *Progress in Self Psychology*, (Vol. 5, pp. 209-253). Hillsdale, NJ: Analytic Press.
- Slavin, M. O. & Kriegman, D. (1990). [Toward a new paradigm for psychoanalysis: An evolutionary biological perspective on the classical-relational dialectic](#). *Psychoanalytic Psychology*, 7, 5-31.
- Kriegman, D. & Slavin, M. O. (1990). On the resistance to self psychology: Clues from evolutionary biology. In A. Goldberg (Ed.), *Progress in Self Psychology*, (Vol. 6, pp. 217-250). Hillsdale, NJ: Analytic Press.
- Kriegman, D. (1990). [Compassion and altruism in psychoanalytic theory: An evolutionary analysis of self psychology](#). *Journal of the American Academy of Psychoanalysis*, 18, 2, 342-367.

- Slavin, M. O. & Kriegman, D. (1992). [Psychoanalysis as a Darwinian depth psychology: Evolutionary biology and the classical-relational dialectic in psychoanalytic theory](#). In J. Barron, M. Eagle, and D. Wolitzky (Eds.), *The Interface of Psychoanalysis and Psychology* (pp. 37-76). Washington, DC: American Psychological Association.
- Slavin, M. O. & Kriegman, D. (1992). [The Adaptive Design of the Human Psyche: Psychoanalysis, Evolutionary Biology, and the Therapeutic Process](#). NY: Guilford Press.
- Kriegman, D. (1996). [On the existential/subjectivism-scientific/objectivism dialectic in self psychology: A view from evolutionary biology](#). In A. Goldberg (Ed.), *Progress in Self Psychology* (Vol. 12, pp. 85-119). Hillsdale, NJ: Analytic Press.
- Kriegman, D. (1996). [The effectiveness of medication: The Consumer Reports study](#). *American Psychologist*, 51, 10, 881.
- Kriegman, D. (1998). [Interpretation, the unconscious, and psychoanalytic authority: Toward an evolutionary, biological integration of the empirical/scientific method with the field-defining, empathic stance](#). In R.F. Bornstein & J.M. Masling (Eds.), *Empirical Perspectives on the Psychoanalytic Unconscious* (pp. 187-272). Washington, DC: American Psychological Association.
- Slavin, M. O. & Kriegman, D. (1998). An evolutionary biological perspective on psychoanalysis. In Robert Langs, (Ed.), *Theories in Psychoanalysis* (pp. 255-296). NY: International Universities Press.
- Slavin, M. O. & Kriegman, D. (1998). [Why the analyst needs to change: Toward a theory of conflict, negotiation, and mutual influence in the therapeutic process](#). *Psychoanalytic Dialogues*, 8, 2, 247-284. Also in Aron, L. & Harris, A. (Eds.), *Relational Psychoanalysis: Innovation and Expansion*, New York: Routledge (2012) 75 - 120.
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- Slavin, M. O. & Kriegman, D. (1998). Paradox and conflict, meta-communication and negotiation in psychoanalysis: Response to Dr. Ringstrom's discussion. *Psychoanalytic Dialogues*, 8, 2, 293-296.
- Slavin, M. O. & Kriegman, D. (1998). Conflicting interests and the creation of a third space. *Psychoanalytic Dialogues*, 8, 3.
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- Kriegman, D. (1998). Of quantum leaps and oxymorons: A reply to Langs. *Contemporary Psychology*, 43, 9, 651-652.
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- Teicholz, J. G. & Kriegman, D. (Eds.). (1998). [Trauma, Repetition, & Affect Regulation: The Work of Paul Russell](#). New York: The Other Press.
- Kriegman, D. (1999). Trauma, conflict, and countertransference: A discussion of Peter Thomson's paper. *Canadian Journal of Psychoanalysis*, 7, 1, 59-62.
- Kriegman, D. (1999). [Parental investment, sexual selection, and evolved mating strategies: Implications for psychoanalysis](#). *Psychoanalytic Psychology*, 16, 4, 1-26.
- Kriegman, D. (2000). Evolutionary psychoanalysis: Toward an adaptive, biological perspective on the clinical process in psychoanalytic psychotherapy. In P. Gilbert and K. Bailey (Eds.), *Genes on the Couch: Explorations in Evolutionary Psychology* (pp. 71-92). East Sussex, England: Psychology Press.
- Kriegman, D. (2002). Interpreting & Negotiating Conflicts of Interests in the Analytic Relationship. In A. Goldberg (Ed.), *Progress in Self Psychology* (Vol. 18, pp. 87-112). Hillsdale, NJ: Analytic Press.
- Kriegman, D. (2006). [The reduction of sexual offense recidivism following commitment and psychodynamic treatment: A challenge to the dominant cognitive-behavioral model](#). *The Journal of Sexual Offender Civil Commitment: Science and the Law*, 1, 90-98.
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- Kriegman, D. (2014b). [The New Salem Witch Trials: Evaluating bias in expert witness conclusions of “sexual dangerousness. Part Two.”](#) *Sex Offender Law Report*. 15(5) Aug./Sep.
- Kriegman, D., Trivers, R.L., Slavin, M. (2020) [Trump’s Tell: How Trump’s self-delusions make him stunningly effective at predatory deception.](#) *Raw Story*. Washington, D.C.: Raw Story Media, Inc.
- Kriegman, D. (2021). [Modern, Darwinian Antisemitism: The Racist Misuse of Evolutionary Pseudoscience.](#) *Contemporary Jewry*, 1–34.
- Kriegman, D. (2022). [The Transmogrification of Harvey Weinstein: On the #MeToo Movement and a Rational Approach to Dealing with Male, Sexual Predators.](#) *Quillette*, February 20.
- Kriegman, D. (2022). [Guilty and Insane: Dissociative Identity Disorder and the Riddle of Human Responsibility.](#) *Quillette*, July 29.
- Kriegman, D. (2022). [Robert Trivers and the Riddle of Evolved Altruism:](#) Survival of the fittest versus compassion and cooperation in evolutionary theory and politics. *Quillette*, October 7.
- Kriegman, D. (2024). [The Book of War: The Evolutionary Biology of Racism, Religious Hatred, Nationalism, Terrorism and Genocide.](#) Newton, MA: Natural Selections Press.

MEMBERSHIPS, LICENSURE, and CERTIFICATIONS

American Psychological Association
Licensed Psychologist, Massachusetts (since 1981)
Health Service Provider under M.G.L. c. 112, § 120
Qualified Psychologist for Section 12 commitments pursuant to 104 CMR 3.20 (2) under M.G.L. c. 123 § 12A
Qualified Examiner for evaluations of “Sexual Dangerousness” (designated in 1986 by the Department of Mental Health)

DISCLOSURE OF EXPERT WITNESS DR. ROBERT A. LEONARD

I. STATEMENT OF PRINCIPLES, METHODOLOGY, AND OPINION

Dr. Leonard is a Ph.D. in linguistics and tenured Professor of Linguistics at Hofstra University. He received a Ph.D. in linguistics from Columbia University in 1982 with research specialties in semantic theory (theory of language meaning) and sociolinguistics. His qualifications are discussed below in greater detail. Dr. Leonard is expected to offer his opinion that [REDACTED] is not the sole author of a set of disputed documents referenced as Q Journal.

A. General Principles of Linguistics

Dr. Leonard will testify about the principles of Linguistics. His testimony will include the following: Linguistics, the scientific study of language, is a well-established science; there are academic associations and scores, if not hundreds, of professional peer-reviewed journals in this field. Linguists are regularly granted research funds by the National Science Foundation. At virtually any major university or college, a student can major in linguistics, and many major universities grant a Ph.D. degree in linguistics. Sociolinguistics is an established branch of linguistics with peer-reviewed professional journals.

The English language has two main meanings for the word "linguist": one, a speaker adept at a foreign language, and two, a scientist who studies human language as a set of real-world phenomena. Academic, scientific linguists belong to the second group (although many are also adept at foreign languages).

Forensic linguistics is the application of the science of linguistic investigation to issues of law. Forensic linguistics augments legal analysis by applying rigorous, scientifically accepted principles of analysis to legal evidence like contracts, letters, confessions, and recorded speech.

Linguists seek—as do all scientists—to explain the non-random distribution of data. Words are not found to randomly issue from the keyboards and mouths of speakers of English or any other language. Words adhere to patterns; these patterns are the subjects of systematic observation of scientific linguists.

As in all other sciences, linguistics solves problems by constructing competing hypotheses and then testing which hypothesis better explains the non-random distribution of the data.

To illustrate linguistics as a science, a useful analogy is to medical experts. They describe

and define what X-rays and MRI's show; so linguistic experts describe and define the underlying structure of written and spoken language. Both sets of experts can do this because they are trained and skilled in what to look for as they assess the meanings and implications discovered in their observations.

B. Methodology Used in Rendering Opinion

Dr. Leonard will testify that he was asked to analyze the language patterns of a set of documents known to have been written by ██████████, referred to as known or **K ██████████**. Dr. Leonard will testify that he was also asked to analyze the language patterns of a set of disputed documents purported to have been written by ██████████, referred to as the questioned or **Q Journal or Q Data (two sets of type-written documents alleged to be journal writings of ██████████)**.

Operating under the assumption of potential co-authorship (that is, **K ██████████** language makes up at least some part of the **Q** data), Dr. Leonard will testify that he considered the following:

Hypothesis 1 - the **Q** data—the **Journal**—demonstrates NO indicia of co-authorship (there are no features that do not match or are inconsistent with **K ██████████**)

Hypothesis 2 - the **Q** data—the **Journal**—demonstrates indicia of co-authorship (i.e., there are features that do NOT match or are inconsistent with **K ██████████**)

Hypothesis 3 - Inconclusive

Based on the degree and type of differences, Dr. Leonard will testify to his opinion that Hypothesis 2 is the superior hypothesis: there are data that demonstrate indicia of co-authorship.

C. Opinion Based on Application of Methodology to Data

Based on the data provided for analysis, Dr. Leonard offers the opinion that ONLY SOME – NOT ALL – of the **Q** data share likely common authorship with **K ██████████**. Specifically, he concludes that the distribution of the features in the linguistic data supports his opinion that the entirety of the **Q** data was not authored solely by Ms. ██████████

This finding is based upon a number of linguistic features. The analysis of linguistic features and their internal variations is based upon the feature environments that occur in two or

more datasets for comparison. Linguistic features are comparable where there are environments, or opportunities, for a given feature to occur.

A determination of likely common authorship requires a constellation of features co-occurring in the same linguistic environments and patterns in both datasets without patterns of deviation (inconsistencies) that would suggest exclusion. Conversely, a determination of inconsistency requires co-occurring linguistic environments in both datasets in which the patterns of features differ, to the point that the datasets can be excluded from sharing likely common authorship. Finally, a determination of inconclusive would require either a mixture of co-occurring and contrasting features (that could be explained by e.g., a shared peer group, random chance, or specific rhetorical functions), or co-occurring features that only demonstrate highly standardized usage and no systematic variations, or a lack of comparable environments.

There are, perhaps, other persons in the world who might generate the features found in both the **Questioned** and the **Known** documents. A conclusion of “co-authorship” is an inference that can be made only by the trier of fact, based on the findings presented here and weighed together with non-linguistic evidence that supports conclusions of means, motive, and opportunity.

While some overlap between any two authors might be expected—particularly when those authors belong to the same community of practice¹—**the degree and type of differences lead to Dr. Leonard’s opinion that K [REDACTED] is not the sole author of the Q.** That is, if K [REDACTED] were the sole author, Leonard would generally expect consistent patterns throughout all of the Q and K [REDACTED], and if K [REDACTED] contributed no language to the Q, he would expect less overlap with some patterns found in K [REDACTED]

Signed,

Robert Leonard

October 21, 2024

¹ Community of Practice – a collection of other, non-suspect in-group authors likely to exhibit the same features and feature environments of the relevant Q and K data for comparison

II. QUALIFICATIONS

Dr. Leonard's qualifications are documented in his curriculum vitae, attached.

Dr. Robert Leonard is a tenured Professor of Linguistics at Hofstra University. He received his Ph.D. in linguistics from Columbia University in 1982 with research specialties in semantic theory—theory of language meaning—and sociolinguistics. His research specialty is the juxtaposition of those two fields: the meaning of words and how humans communicate in the real world. He is regularly consulted in cases dealing with language use by the FBI, Joint Terrorism Task Force, police, and counter-terrorism units throughout the US, UK, Canada, and Europe.

He serves as Senior Consultant, Office of the Director of National Intelligence, Intelligence Advanced Research Projects (IARPA) “Linguistic Fingerprint” project.

He has been qualified as an Expert in Linguistics, under Frye and under Daubert, in 15 States and 11 Federal Districts: in State Courts in Arkansas, Arizona, California, Colorado, Florida, Illinois, Indiana, Michigan, Montana, New Jersey, New York, Nevada, Oregon, Pennsylvania, and South Carolina, and in U.S. District Courts in Newark, NJ (twice), Austin, TX, Miami, FL, New York, NY, San Jose, CA, Tampa, FL, Denver, CO, New Orleans, LA, Savannah, GA, Wilmington, DE, and Los Angeles, CA, and testified as a linguistic expert before World Bank ICSID Tribunals in Washington, DC, and Paris.

Dr. Leonard has testified about issues related to linguistics on behalf of government agencies and defendants in criminal cases involving murder and other felonies. He has also consulted on scores of other criminal cases at the request of law enforcement agencies including the U.S. Department of Justice, throughout the United States, Canada, the United Kingdom, and Europe, as well as on scores of civil cases, for clients including Apple, Facebook, and the Prime Minister of Canada.

Dr. Leonard's testimony has been found pivotal in investigating and prosecuting several high-profile cases, including death threats to sitting judges and to U.S. Congress members, the murder of Charlene Hummert in Pennsylvania, the triple homicide of the Coleman family in Illinois, and the JonBenet Ramsey murder. He has been involved in numerous trademark cases, notably the App Store disputes between Apple and Microsoft and Amazon.

Dr. Leonard is the Director of Hofstra's graduate program in Linguistics: Forensic Linguistics, a program approved by the Regents of the State of New York to confer degrees. He

serves as the founding Director of Hofstra’s Institute for Forensic Linguistics, Threat Assessment, and Strategic Analysis, and of the Forensic Linguistics Capital Case Justice Project, a joint venture with the Hofstra Law School, and is founding co-Director of the Joint MA-JD program with the Law School.

He has taught linguistics at the college level for over 35 years, including 32 years at Hofstra where he has created over 30 courses in linguistics. He served for seven years as Chair of Hofstra’s Department of Comparative Literature, Languages, and Linguistics, the department that includes linguistics, literature, and 12 foreign language degree programs.

Prior to his Ph.D., Dr. Leonard received a B.A. from Columbia College in 1970, where he was elected to Phi Beta Kappa and graduated with honors, and received an M.A. and M.Phil. from Columbia Graduate School, where he was awarded a Faculty Fellowship. In graduate school, in addition to his training in linguistics per se, he was mentored by Professor Allen Walker Read, one of the foremost lexicographers of the 20th century.

Dr. Leonard was awarded a Fulbright Fellowship for his dissertation research.

He serves as a member of the Editorial Board of the Oxford University Press scholarship series Language and the Law.

Dr. Leonard has authored and co-authored both technical and popular articles in the field of linguistics. His technical articles have undergone extensive peer-review prior to publication by leading academic publishing houses.

He wrote the “Forensic Linguistics” chapter in Van Hasselt and Bourke's recently published *Handbook of Behavioral Criminology: Contemporary Strategies and Issues*, and was lead author on a *Hofstra Law Review* article, “Forensic Linguistics: Applying the science of linguistics to issues of the law.”

Dr. Leonard has been employed by the FBI Behavioral Analysis Unit-1 (Counterterrorism and Threat Assessment) to offer his expertise in specific cases, train federal agents, and analyze and advise on their Communicated Threat Assessment Database (CTAD).

He has given plenary presentations at ATAP International's Annual Threat Management Conference in Anaheim, at the Canadian Association of Threat Assessment Professionals, and at the Central Ohio Chapter of the Association of Certified Fraud Examiners' Fraud Investigation & Prevention Conference, as well as the FBI BAU's past Forensic Linguistics boot camps at Quantico.

Dr. Leonard has lectured worldwide on the topic of linguistics, on advances in the application of linguistic theory to issues of real-world interactions, including specifically the meaning of words and other linguistic resources and their use in contexts such as intelligence analysis, interrogations, confessions, deception, trademarks, copyright, contract disputes, and wills. Invited lectures include:

- “Forensic linguistics: using language evidence in criminal, threat, and intelligence cases, with special reference to homicides” to the NYPD Detective Bureau Homicide Investigators Course,
- an address to the Lexicography, Language, and Law Dictionary Society of North America,
- the plenary address to the Ohio Attorney General’s Conference on Law Enforcement,
- a lecture on “Speech Acts, Schemata and the Cooperative Principle: Three Useful Concepts in Understanding a False Confession: Linguistics Theoretical Issues in Forensic Linguistics Cases” at Georgetown University;
- “Testing Linguistic Theory: Systems of Identity, Honor and Power: Food Behavior in a Swahili City-State, and a Federal Extortion Case in a Texas Court” at the Institute for Social and Economic Research & Policy of Columbia University;
- “Forensic linguistics for Investigative Practitioners: Threat Assessment, Counter-Terrorism, Linguistic Profiling and Authorial Attribution” at John Jay College of Criminal Justice of the City University of New York, and
- “Sociolinguistics as Forensic Science” at the Forensic Linguistics Workshop for Law Enforcement Practitioners, Behavioral Analysis Unit-1 (Counter-terrorism and Threat Assessment), National Center for the Analysis of Violent Crime, Critical Incident Response Group, Federal Bureau of Investigation, Quantico, VA.

III. LIST OF CASES (2020–2024)

A. Testimony In U.S. Federal District Courts

2024 Snap Inc. v. Katherine K. Vidal, et al., Case No. 2:22-cv-00085

- United States District Court, Central District of California
- Consulted by plaintiff
- Linguistic issue: Linguistic issue: linguistic significance of trademarks
- ongoing

2023 GOLO, LLC v. Goli Nutrition Inc. C.A. No. 20-667-RGA-SRF

- United States District Court for the District of Delaware
- Consulted by defendant
- Linguistic issue: Linguistic issue: linguistic significance of trademarks
- Jury verdict for defendant

2023 United States of America v Ahmed Mahad Mohamed CR 19-02162-TUC-JGZ (EJM)

- United States District Court for the District of Arizona
- Consulted by defendant
- Linguistic issue: Using the U.S. Gov’t Interagency Language Roundtable (ILR) scale to assist judge in assessing whether defendant knew English well enough to understand Miranda warnings
- Testified at suppression hearing
- Suppression denied

2022 Guantanamera Cigars Company v. SMCI Holding, Inc., Swedish Match North America, LLC, et al. Case No. 21-cv-21714-GOODMAN [CONSENT]

- United States District Court, Southern District of Florida, Miami
- Consulted by defendant
- Linguistic issue: meaning of “duo(s)” trademark in English and Spanish
- Judge allowed testimony-- Daubert
- Stipulations obviated need to testify
- Defendant prevailed

2022 Estate of David Kleiman, and W&K Info Defense Research, LLC v. Craig Wright
Case No. 9:18-cv-80176-BB/BR

- United States District Court, Southern District of Florida, Miami
- Consulted by plaintiff
- Linguistic issue: authorship of writings
- Daubert Hearing Nov 2020 Judge allowed testimony
- Upon my being qualified, defendant abandoned his claim that he did not author certain writings; jury awarded plaintiff \$100,000,000.

2021 United States of America v. Higinio Perez-Bravo, Case No: 418-cr-274

- U.S. District Court, Savannah, GA
- First degree murder
- Testified at Evidentiary Hearing
- Consulted by defendant
- Linguistic issue: Was the Spanish translation of Miranda comprehensible to someone of defendant's education and dialect; was the defendant adequately informed of his rights.
- Ongoing

2021 Express Lien, Inc. v. Handle, Inc. et al. Civil Action No: 19-10156 Section: "H"

- United States District Court Eastern District of Louisiana, New Orleans
- Consulted by plaintiff
- Linguistic issue: Did defendant copy their website from plaintiffs'—i.e., authorship analysis
- Defendant requested settlement after my linguistic testimony

B. Testimony in State Courts

2023 State of Arkansas vs Bellot Thiam Doucoure Case ID: 2022-1443-1

- 19th Judicial, Benton County
- 3 counts Rape, Guardian Class; 3 counts Sexual Assault in the Second-Degree Class B Felony
- Testified at trial

Robert Leonard – Rule 16 Disclosure

- Consulted by prosecution
- Linguistic issue--authorship: Did the defendant author certain documents
- Jury found defendant guilty; sentenced him to three consecutive life sentences

2021 O'Hara v Liberty Rural Fire District Case No. STK-CV-UOE-2018-0007115

- Superior Court California, County of San Joaquin
- Defamation
- Qualified after evidentiary hearing
- Testified at trial
- Consulted by defendant
- Linguistic issue--authorship: Did the Fire Chief author two defamatory letters re O'Hara
- Jury found for the defendant--that the Chief did not author the defamatory letters

2021 Juracan-Juracan, Oscar R Case No. 1005517697

- Hudson, NJ
- Consulted by defendant
- Linguistic Issue: Whether defendant, a speaker of the native American Mayan language Kaqchikel could have knowingly, intelligently and voluntarily waived his Miranda rights and generally understood his interview conducted in Spanish
- This Court determined, citing a number of matters, that Dr. Leonard was an expert for purposes of the suppression motion --motion in linguistics and forensic linguistics. Furthermore, this Court finds Dr. Leonard to be credible based upon his testimony and conduct before the Court, as considered under the aforementioned credibility factors.

2020 Vince Leach et al. v Katie Hobbs, et al., Arizonans Fed up with Failing Healthcare (Healthcare Rising AZ) Case No. CV2020-00761

- Arizona Superior Court, Maricopa County
- Attempt to disqualify a ballot initiative
- Consulted by defendant

C. Depositions

2024 **Bold v. Rocket Resume, Inc., and Stephen Zimmerman, United States District Court Northern District of California, San Jose Division**

- Consulted by plaintiffs
- Linguistic issue: Did defendant copy their website from plaintiffs’—i.e., authorship analysis
- Ongoing

2024 **Shegerian & Associates v. High Noon Office Superior Court of the State of California County of Los Angeles – West – Beverly Hills**

- Consulted by plaintiffs
- Linguistic issue: interpretation of contract language
- Ongoing

2023 **Snap Inc. v. Katherine K. Vidal, Case No. 2:22-cv-00085-SK**

- United States District Court Central District of California
- Consulted by plaintiffs
- Linguistic issue: Linguistic issue: linguistic significance of trademarks
- Trademark
- Ongoing

2023 **GOLO, LLC v. Goli Nutrition Inc. C.A. No. 20-667-RGA-SRF**

- United States District Court for the District of Delaware
- Consulted by defendant
- Linguistic issue: Linguistic issue: linguistic significance of trademarks
- Jury verdict for defendant

2023 **Delta Air Lines, Inc., v. Marriott International, Inc., Defendant and Counterclaim, Plaintiff, and Marriott Worldwide Corporation, Counterclaim Plaintiff. C. A. No. 1:20-CV-01125-ELR**

- United States District Court, Northern District of Georgia, Atlanta Division
- Consulted by defendant
- Linguistic issue: linguistic significance of “delta”
- Ongoing

2022 Zuru LLC and Zuru Inc. v. LEGO Juris A/S Cancellation No. 92075254.

- United States Patent & Trademark Office; Before the Trademark Trial and Appeal Board
- Consulted by appellant
- Linguistic issue: linguistic significance of trademark
- Ongoing

2021 CFI Group USA, LLC vs. Verint Americas, Inc. Case No. 2:19-cv-12602
American Customer Satisfaction Index, LLC, vs. Foresee Results, Inc. Case No. 2:18-cv-13319

- United States District Court, Eastern District of Michigan
- Consulted by defendant
- Linguistic issue: linguistic significance of ACSI and American Customer Satisfaction Index
- Ongoing

2021 Express Lien, Inc. v. Handle, Inc. et al. Civil Action No: 19-10156 Section: “H”

- United States District Court Eastern District of Louisiana, New Orleans
- Consulted by plaintiff
- Linguistic issue: Did defendant copy their website from plaintiffs’—i.e., authorship analysis
- Defendant requested settlement after linguistic testimony

2020 Estate of David Kleiman, and W&K Info Defense Research, LLC v. Craig Wright
Case No. 9:18-cv-80176-BB/BR

- United States District Court, Southern District of Florida, Miami
- Consulted by plaintiff
- Linguistic issue: authorship of writings
- Nov 2020 Judge allowed testimony in Daubert Hearing
- Defendant abandoned his claim that he did not author certain writings; jury awarded plaintiff \$100M, plus \$95M

Robert A. Leonard, Ph.D., Linguist

Forensic Expert Witness in Linguistics and Language

Hofstra University Professor of Linguistics

**Director, Institute for Forensic Linguistics, Threat Assessment and Strategic Analysis
and Forensic Linguistics Justice Project (formerly the “Forensic Linguistics Capital Case Innocence Project”)**

Director, Graduate Program in Linguistics: Forensic Linguistics

Tel.: (516) 477-3834 Email: rlforensics@outlook.com

www.robertleonardassociates.com

<http://www.hofstra.edu/academics/colleges/hclas/cl/linguistics/ma-forensic-linguistics/>

July 2024

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EXPERT WITNESS

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COURSES DEVELOPED AT HOFSTRA UNIVERSITY—

Undergraduate; Graduate

EXPERT WITNESS IN LINGUISTICS AND LANGUAGE

- Qualified as an Expert in Linguistics, under Frye and under Daubert over 30 times in 15 States and 11 Federal Districts: in State Courts in Arkansas, Arizona, California, Colorado, Florida, Illinois, Indiana, Michigan, Montana, New Jersey, New York, Nevada, Oregon, Pennsylvania, and South Carolina, and in U.S. District Courts in Newark, NJ (twice), Austin, TX, Miami, FL, New York, NY, San Jose, CA, Tampa, FL, Denver, CO, New Orleans, LA, Savannah, GA, Wilmington, DE, and Los Angeles, CA.
- Testified as a linguistic expert before World Bank ICSID Tribunals in Washington, DC, and Paris.

EDUCATION

Columbia University, New York, NY

Columbia Graduate School of Arts and Sciences

(Faculty Fellow, Fulbright Fellow)

Ph.D. 1982 (Linguistics)

M. Phil. 1973 (Linguistics)

M.A. 1973 (Linguistics)

B.A. 1970 *with honors* (Sociology)

Columbia College

University of Nairobi, Kenya (during Fulbright Fellowship tenure)

Institute of African Studies

Research Associate 1974-75

LINGUISTIC CONSULTING includes

- FBI Behavioral Analysis Unit-1 (BAU-1, Counterterrorism and Threat Assessment)
- Prime Minister of Canada
- Office of the Director of National Intelligence -- Senior Consultant, IARPA “Linguistic Fingerprint” project (IARPA, “Intelligence Advanced Research Projects, invests in high-risk, high-reward research to achieve an overwhelming intelligence advantage for the Nation. Drives groundbreaking research and development in support of our future strategies, enhances innovation across the breadth of Intelligence Community (IC) activities, and allows the IC to take advantage of cutting-edge technology, resulting in critical advances that propel the IC forward.”)
- NYPD Hate Crimes Task Force
- US Air Force
- Scientific advisor to Turnitin, the world’s predominant plagiarism detection company

Curriculum Vitae - Robert Leonard, PhD, July 2024

- New Jersey Office of Attorney General, Criminal Prosecution
- New York State Police Protective Services Unit, Intelligence Section
- United States Attorney's Office, Eastern District of NY
 - Southern District of California
 - District of Montana
 - District of Minnesota
 - Eastern District of Missouri
 - Western District of Texas
- Pennsylvania State Police Criminal Investigation Assessment Unit
- ABC-TV News Investigative Division
- Apple, Inc.
- Member, Capital Case Oversight Committee Jury Instruction Workgroup for the State of Arizona
- Facebook, Inc.
- State Court System of New Jersey
- In US, UK, Canada, and Europe, many other agencies and firms, including:
 - Criminal profiling, intelligence, and counterterrorism units
 - Municipal and national police forces, private sector intelligence agencies
 - Prosecutors, defense counsels, civil law firms

ACADEMIC FELLOWSHIPS, HONORS (and see Academic Experience, below)

Graduate: Fulbright Fellowship for Ph.D. Research 1973-74
Faculty Fellow of Columbia University 1970-73
National Defense Foreign Language Fellowship 1970-73

Undergraduate: Phi Beta Kappa 1970
Gutmann Prize for Excellence in Humanities 1967

FOREIGN LANGUAGES

Speak and Read: Swahili (several varieties), French, Spanish
Reading Knowledge: Italian
Structural Knowledge: Giriama, Kamba, Rabai, Pokomo (Kenya); Shona (Zimbabwe); Thai, Arabic

OTHER LINGUISTIC TRAINING

Linguistic Society Institutes:	Advanced Linguistic Training
University of Hawaii, Honolulu	Summer 1977
University of Michigan, Ann Arbor	Summer 1973
American University Alumni Association	Thai Language
Bangkok, Thailand	Summer 1976

PHD THESIS ADVISING

- Columbia University Computer Science Department
- Aston University (UK) Linguistics Department
- University of California, San Diego Linguistics Department

MEDIA

Interviews on issues of linguistics and forensic linguistics include:

<i>New York Times</i>	WABC-TV news
<i>The New Yorker Magazine</i>	<i>Newsday</i>
<i>Wall Street Journal</i>	<i>New York Daily News</i>
<i>Smithsonian Magazine</i>	<i>Associated Press</i>
<i>ABC Nightline</i>	WCBS and WINS Newsradios

Curriculum Vitae - Robert Leonard, PhD, July 2024

USA Today

Washington Times

Danmarks Radio

Interviews have additionally appeared in *Dallas Morning News*, *Mainichi Daily News* (Japan), *New York Law Journal*, *NBC*, *MSNBC*, *CNN*, *Insider*, and many others

Freakonomics' Tell Me Something I Don't Know

Profil Newsmagazine, Austria

Washington Post

The *New Yorker* article is at <http://www.newyorker.com/magazine/2012/07/23/words-on-trial>

Wikipedia bio is at http://en.wikipedia.org/wiki/Robert_A._Leonard

Other news articles include:

The *New York Times* - New York Today: "Hold the Ziti" <https://www.nytimes.com/2018/02/06/nyregion/new-york-today-hold-the-ziti.html>

<http://www.smithsonianmag.com/ist/?next=/science-nature/how-did-computers-uncover-jk-rowlings-pseudonym-180949824/> (note: Dr. Juola and I have joined forces on cases, as well as on a National Science Foundation grant proposal)

"Forensic Linguistics Makes Web Less Anonymous"

<http://www.cbsnews.com/news/forensic-linguistics-makes-web-less-anonymous/>

"Holmes & Watson Amid the Apostrophes" *Chronicle of Higher Education*, By Lucy Ferriss

<http://chronicle.com/blogs/linguafranca/2012/07/30/holmes-watson-amid-the-apostrophes/>

For some comic relief: In 2012 TIME deemed me the second smartest rock star in history, behind Brian May, guitarist of *Queen*, who is an Astrophysicist. Humor aside, this is actually of note because how I worked my way through Columbia often comes out—always positively—at trial.

<http://entertainment.time.com/2012/09/07/school-of-rock-10-super-smart-musicians/#all>

<http://entertainment.time.com/2012/09/07/school-of-rock-10-super-smart-musicians/#class-acts>

Television Shows:

Featured prominently in *A Tight Leash*, an episode of *Forensic Files/Medical Detectives*, and *Investigation Discovery's Solved*, about the Hummert murder case tried in 2006;

A Tight Leash full episode: <https://www.youtube.com/watch?v=ozRSg2VLOH0&t=7s>

"Facebook Murders" case: *Too Pretty to Live: The Catfishing Murders of East Tennessee* on Investigation

Discovery 2016. Full show: <https://www.vudu.com/content/movies/details/Too-Pretty-to-Live-Too-Pretty-to-Live/752285>

Short clips:

<https://www.youtube.com/watch?v=acHg0L5ky30> is a 4:24 video clip discussing forensic linguistics for Investigation Discovery Channel

<https://www.facebook.com/watch/?v=1771560176438099> is a 2:06 clip from MTV's 2016 series *Uncovering the Truth*: Byron Case and Michael Politte exoneration cases.

<https://www.hofstra.edu/academics/colleges/hclas/ell/linguistics/ma-forensic-linguistics/index.html>

is a 4:14 clip discussing the graduate program and forensic linguistics in general

Recent interview: <https://podcasts.apple.com/us/podcast/subtitle/id1482805610> Funded by the National Endowment for the Humanities and the Linguistic Society of America

Other Podcasts:

[Behavioral Grooves](#) | [Rob Leonard's Love of Language](#)

<https://podcasts.apple.com/us/podcast/helping-solve-an-infamous-pennsylvania-murder-as/id1604942951?i=1000586919976>

Sample Presentations:

“The Groundbreaking Science of Forensic Linguistics: Solving Crimes by Analyzing Language” At the Third Annual World Polyglot Conference, New York City, October 2015. (48:49)

<https://www.youtube.com/watch?v=-01uO3uTrgk&t=1225s>

“MetroLex II: Lexicography, Language, and the Law” “Rob Leonard's Ph.D in semantics and sociolinguistics from Columbia University included lexicography, taught by Allen Walker Read, one of his favorite professors, but with whom he clashed, for example, on the socio-cultural import of dictionaries' treatment of taboo terms. He continued to collaborate on projects with Read for years afterwards. As a forensic linguist, Rob has had many opportunities to put into practice the principles and techniques taught to him by Read.”

Held at the New York City offices of Oxford University Press, and organized by the Dictionary Society of North America (DSNA) in partnership with other organizations in the NYC area.

(28:59)

<https://www.youtube.com/watch?v=N4en5cpTBF4>

“Forensic linguistics in the cause of justice: The Forensic Linguistics Capital Case Innocence Project” Keynote (1 hour) Presented to the Forum on Language and the Law: Non-Native Speakers of English in the Legal System -- a dialog between linguistics experts and stakeholders, Department of Linguistics, **University of Utah**, April 2018. <https://linguistics.utah.edu/languageandlaw/> ; clips at

[http://www.kaltura.com/index.php/extwidget/preview/partner_id/670542/uiconf_id/36005582/embed/auto?&flashvars\[streamerType\]=auto&flashvars\[playlistAPI.kpl0Id\]=0_5t3qoj86](http://www.kaltura.com/index.php/extwidget/preview/partner_id/670542/uiconf_id/36005582/embed/auto?&flashvars[streamerType]=auto&flashvars[playlistAPI.kpl0Id]=0_5t3qoj86)

Sample interview:

Vanderbilt Law School blog <https://www.excitedutterancepodcast.com/listen/2018/2/19/46-robert-leonard>

Sample Article:

http://www.hofstralawreview.org/wp-content/uploads/2017/06/BB.5.Leonard-et-al.NEW_.pdf

Regarding performing at Woodstock:

<https://theworld.org/programs/studio-360/taking-stock-woodstock>

ACADEMIC EXPERIENCE

- | | |
|--------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2023 | LSA Summer Institute, University of Massachusetts, Amherst . Visiting Professor |
| 2017 | LSA Summer Institute, University of Kentucky, Lexington . Visiting Professor |
| 1990-present | Hofstra University, Hempstead, New York <ul style="list-style-type: none">■ Professor of Linguistics and Director of Linguistics Programs (1996-present)■ Co-Director of Joint MA-JD with Hofstra Law School (2018-present)■ Linguistic Society of America Institute Language as Evidence: Forensic Linguistics (2017)■ Distinguished Faculty Lecturer Award (2013)■ Distinguished Teacher of the Year Award (2009)■ Director, Graduate Program in Forensic Linguistics (2010-present)■ Director, Institute for Forensic Linguistics, Threat Assessment and Strategic Analysis (2010-present)■ Director, Forensic Linguistics Capital Case Innocence Project (2014-present); in 2024 renamed Forensic Linguistics Justice Project■ Chair, Department of Comparative Literature, Languages, and Linguistics (2005-2012). Department included Comparative Literature, Linguistics, Asian Studies, the English Language Program, Arabic, Chinese, German, Modern Greek, Ancient Greek, Hebrew, Japanese, Latin, Persian, Punjabi, Russian, and Swahili■ Director, Forensic Linguistics Project (2004-2010)■ Chair, Africana Studies (2002-2003)■ Associate Professor of Linguistics (1990-1996) |

- 1988-1994 **Fulbright Teacher Exchange Program, United States Information Agency
Chair, Regional Interview Committee (LI and Southern NY State)**
- Organized and oversaw interviews by college and university faculty members expert in international matters of high school teachers applying for Fulbrights
- 1985-1990 **Friends World College—FWC** (A small, Quaker-founded, nonsectarian liberal arts college that specialized in undergraduate field work and experiential education at eight international centers. Now called Global College)
- Vice-President for Administration, Headquarters, Huntington, NY**
- Supervised Center Directors of FWC campuses and centers worldwide: New York, Costa Rica, Israel, Kenya, England, India, Japan, and Hong Kong.
 - Taught linguistics seminars and supervised linguistics independent research; conducted cross-cultural training.
- 1981-85 **Director, FWC East African Centre, Machakos, Kenya**
- Designed, supervised and taught comprehensive academic program integrating intensive language training with the humanities, the social sciences, cross-cultural training and field work methodology to give American undergraduates a thorough preparation for independent field study and internships in East Africa.
 - Taught African literature (in English); Swahili literature and lyric poetry (in Swahili).
- 1982 The Semantic System of Deixis in Standard Swahili. Columbia University
Ph.D. Dissertation.
Ann Arbor: University Microfilms Intl. [Analyzes the underpinnings of deictic demonstratives by speakers and writers in structuring the information flow of language using data from the grammatically complex East African language Swahili.]
- 1979-81 **Columbia University, New York, NY
Preceptor of Linguistics**
- Taught introductory and intermediate Swahili.
- 1977-79 **Lehman College, City University of New York
Lecturer**
- Taught linguistics and sociolinguistics.

EDITORSHIPS

- 2009-2023 **Member, Editorial Board. Oxford University Press series *Language and Law*.**
- 1999 **Co-Editor, *The Asian Pacific American Heritage: A Companion to Literature and Arts*.** New York: Routledge.
[Selected as "**one of the Outstanding Academic Books of the Year**" by the American Library Association's journal, *Choice*]
- 1998 **Co-Editor, *The Italian American Heritage: A Companion to Literature and Arts*.** 1998. New York: Routledge.

For the 1998 and 1999 *Heritage* series, Section Editor for Linguistics, and Food/Semiotics of Food

PROFESSIONAL EVALUATION PANELS

- 2021-present **Reviewer, Linguistics books, Cambridge University Press**
2014-present **Reviewer, Linguistics books, Oxford University Press**

2007-present	Reviewer, Professional Staff Congress, City University of New York Research Award Program
2018-present	Reviewer, Linguistics and Law, Routledge
2017-present	Referee, City University of New York
2017	Referee, Lancaster University, United Kingdom
2014	Referee, Georgetown University
2013	Reviewer, Psychology Books, Wiley-Blackwell
2012	Reviewer, Journal of Forensic Sciences
2012	Referee, Journal of Empirical Legal Studies
2010	Reviewer, Routledge Encyclopedia of Applied Linguistics

PUBLICATIONS -- LINGUISTICS and SEMIOTICS

2018. "Communicating linguistic theory and analyses to judge and jury in the highly adversarial US justice system: theatrical cross examinations vs. the facts" in *Frameworks for Discursive Actions and Practices of the Law*, Tessuto, Girolamo, Vijay K. Bhatia, and Jan Engberg, eds., Centre for Research in Language and Law, Naples, Italy, pp. 219-247. Cambridge Scholars Publishing.

2017. "Forensic Linguistics" in *Handbook of Behavioral Criminology: Contemporary Strategies and Issues*. Van Hasselt, Vincent, and Michael Bourke, eds. Springer.

2017. "Forensic Linguistics: Applying the science of linguistics to issues of the law." Co-authors Juliane Ford and Tanya Karoli Christensen. 45 *Hofstra Law Review* 881.

2012. "Retslingvistik. Sprogforskeren som efterforsker og ekspertvidne" ["Forensic linguistics: the linguist as investigator and expert witness"] (translated into Danish by Nicoline Munck Vinther). *Mål og Mæle* ("new knowledge about language and linguistics") 35.3. 11-17.

2011. "The Swahili City-States" in *Food Cultures of the World Encyclopedia* [4 volumes]. Albala, Ken, ed. Westport, Conn: Greenwood Press [This article, through a sociological, linguistic, and semiotic study of food behavior, explores history, culture, religion and social meaning in a group of ancient Indian Ocean city-states loosely federated by language and religion.]

2011. "Kenya" in *Food Cultures of the World Encyclopedia* [4 volumes]. Albala, Ken, ed. Westport, Conn: Greenwood Press [This article, through a sociological, linguistic, and semiotic study of food behavior, explores history, culture, religion and social meaning in a post-colonial nation-state.]

2008. Review of Roger W. Shuy, *Creating Language Crimes: How law enforcement uses (and misuses) language*. *Language*, volume 84, number 4.

2006. "Meaning in nonlinguistic systems." In *Advances in Functional Linguistics: Columbia School Beyond its Origins*, Gorup, Davis and Stern, eds. Amsterdam: John Benjamins. [This article seeks to extend the boundaries of linguistic semantic theory and sociolinguistic variation theory to *non*-linguistic non-random systematized arbitrary expressions of meaning, specifically behaviors dealing with food, architectural space, private space, and construction of social and gender identity, using data author collected primarily from ancient city-states in East Africa, and from the U.S. and SE Asia as well.]

2006. "Semantic Analysis of Swahili Applicative Verbal Extension *li*." co-author Wendy Saliba. In *Advances in Functional Linguistics: Columbia School Beyond its Origins*, Gorup, Davis and Stern, eds. Amsterdam: John Benjamins. [A new analysis of a thorny problem in theoretical semantics (how context-sensitive can grammatical meaning be?) using data from a widely examined issue in Swahili semantics (the applicative extension *li*).]

2006 Review of "Language in the American Courtroom." in Sociolinguistics, Discourse Analysis, and Language Policy section of *Language and Linguistics Compass*, Blackwell electronic journal.

2006 "Forensic linguistics: applying the scientific principles of language analysis to issues of the law." *International Journal of the Humanities*, Volume 3, Issue 7, pp.65-70. Melbourne: Common Ground Publishing Pty. Ltd.

2005 "Police interrogation needs videotape." *Newsday*, April 28, 2005. [Op-Ed article on the necessity of electronically recording interrogations and confessions: how it protects the rights of suspects, protects the police from accusations of wrongdoing, and saves money for taxpayers as well.]

2004 "Forensic linguistics." In Glenn Yeffeth, ed., *An Eclectic Look at NYPD Blue*. Dallas: BenBella Books. [The cooperative principle, schemas, pragmatics, inference, dialect and idiolect, the sociolinguistics of language as identity, code-switching, and linguistic accommodation as tools for analyzing courtroom procedure, police interrogation, and how memories can be shaped by questioning.]

2003b "Linguistics and the Law." *Washington, D.C. Legal Times*. June 16, 2003. [Explains the background, theory and application of Forensic Linguistics in a special Litigation edition of this law journal.]

2003a "Black English equals any other language." *Newsday*, January 22, 2003. [Op-Ed article on the sociolinguistic role of language and ethnic identification drawing on 25 years of research on dialect and secret language.]

1999a "Dialect, standard, and slang: Sociolinguistics and ethnic American literature" In George Leonard et al., eds., *The Asian Pacific American Heritage: A Companion to Literature and Arts*. New York: Routledge. [Winner of American Library Association's *Outstanding Academic Book* award.]

1999b "Food and ethnic identity: Theory." Co-author Wendy Saliba. In George Leonard et al., eds., *The Asian Pacific American Heritage: A Companion to Literature and Arts*. New York: Routledge. [Winner of American Library Association's *Outstanding Academic Book* award.]

1999c "Southeast Asian Food: the Durian and beyond." Co-author Wendy Saliba. In George Leonard et al., eds., *The Asian Pacific American Heritage: A Companion to Literature and Arts*. New York: Routledge. [Winner of American Library Association's *Outstanding Academic Book* award.]

1995 "Notes on *uki*, East African Honey Wine" [A sociological linguistic-semiotic study of an African traditional beverage which I was taught to brew and use ceremonially when I sat on the elders' council of the Akamba]. In Harland Walker, ed., *Oxford Symposium 1994*. London: Prospect Books.

1995 "Deixis in Swahili: attention meanings and pragmatic function." In Ellen Contini-Morava and Barbara Goldberg, eds., *Meaning as Explanation: Advances in Sign-Based Linguistics*. Berlin: Mouton De Gruyter. [This article, using data from the grammatically complex East African language Swahili, analyzes the use of deictics such as demonstratives by speakers and writers in structuring the information flow of language.]

1994 "Money and language." In John DiGaetani, ed., *Money: Lure, Lore and Literature*. Westport, Conn.: Greenwood Press. pp 3-13. [Analyzes the common theoretical semantic underpinnings of linguistic and true monetary systems—arbitrariness; lexicographic and historical linguistic analysis of lexical semantics of money terms; sociolinguistics of some closed codes regarding money.]

1992 "Food, drink, and Swahili public space." In Harlan Walker, ed., *Oxford Symposium 1991*. Co-author Wendy Saliba. London: Prospect Books. [Presents the problem and theoretical underpinnings of the analysis of non-linguistic non-random systematized arbitrary expressions of meaning, specifically behaviors dealing with food, architectural space, private space, and construction of social and gender identity, using data primarily from ancient city-states in East Africa, and from the U.S. and Asia as well.]

1988 *Swahili Phrasebook*. Victoria, Australia and Berkeley, California: Lonely Planet Publications.

1987 Response to Wilt, "Discourse distances and the Swahili demonstratives." *Studies in African Linguistics* 18:97-105.

1985 "Swahili demonstratives: Evaluating the validity of competing semantic hypotheses." *Studies in African Linguistics* 16:281-293. [Explores the requirements of theoretical adequacy in the construction of explanatory hypotheses.]

1980 "Swahili e, ka, and nge as signals of meanings." *Studies in African Linguistics* 11:209-226.

INVITED AND REFEREED PRESENTATIONS -- LINGUISTICS AND SEMIOTICS include:

2024 "Creative Uses of Forensic Linguistics in Capital Defense." LDF's 42nd Annual Capital Airlie Conference, Airlie, VA, July 2024.

2024 "Forensic linguistics helped stay the execution of Melissa Lucio." **International Association of Forensic and Legal Linguistics**, Aston University, Birmingham, UK, June 2024.

2024 "How Hofstra's Justice Project is assisting Arizona to make capital jury instructions intelligible to all." Plenary to **International Linguistic Association**, BMCC, NYC, April 2024.

2023 "Applications of the Science of Forensic Linguistics." Keynote address to 2023 **National Administrative Law Judiciary** Annual Conference: The Administrative Law Judiciary and the Pursuit of Fairness, Due Process and the Protection of Fundamental Rights, Fordham University School of Law, NYC, October 2023

2023 "Forensic Linguistics in the cause of justice: criminal investigations, threat assessment, counterterrorism, and the Forensic Linguistics Capital Case Innocence Project." The Annual Barbara Gordon Memorial Lecture, **Florida International University**, Miami, Florida April 2023.

2023 "Forensic Linguistics Applications to Intelligence, Law Enforcement, Counterterrorism and Threat Assessment, and the one-week FBI intensive training courses now taught at Hofstra University." **Tüsatbitig, the Turkish Webinars Platform, and Türk Dili Derneği, the Turkish Language Association**, Ismir, Türkiye, February 2023

2023 "Forensic Linguistics: theory, demographic profiling, authorship and counterterrorism." Workshop on Forensic Linguistics, International School of Dravidian Linguistics, **Dravidian Linguistic Association of India**, Thiruvananthapuram (fmr. Trivandrum), Kerala, India, January 2023

2022 "Social Justice: Forensic Linguistics theory and practice at work". Presented to **The Culturally Responsive Court: Regional Justice System Training Series** "Cultural Competency/Stop Violence Against Women Project for Judges, Law Enforcement Officers, Prosecutors, Interpreters, Domestic Violence Program staff, and Adult Protective Services" A series of six presentations, presented in Pittsburgh, State College, Lancaster, Philadelphia, Bethlehem, Scranton, November 2022.

2022 "Forensic Linguistic Intelligence in Corporate Security, Counterterrorism, and Threat Assessment." Presented to **ISC East (International Security Conference & Exposition**, Javits Center, NYC, November 2022.

2022 "Hofstra University's Forensic Linguistics Innocence Project." Presented (virtually) to Expanding the Boundaries of Habeas Litigation. **Capital Habeas Unit, Office of the Federal Public Defender**, Northern District of Ohio, Cleveland, Ohio, September 2022.

2022 "Forensic Linguistic Intelligence in Corporate Security: A tool in corporate investigations, counterterrorism, and forensic linguistically-enhanced threat assessment" Presented (virtually) to **ASIS NYC Chapter and the ASIS CSO Center**, New York, NY, May 2022.

2021 ATAP Joint Threat Assessment Training "New advances in forensic linguistically-enhanced threat assessment," Presented (virtually) to the **Association of Threat Assessment Professionals**, Philadelphia, June 2021.

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- 2020 “Forensic linguistic applications to authorship, linguistic demographic profiling, counterterrorism, law enforcement and forensic linguistically-enhanced threat assessment.” Presented (virtually) to the **Association of Threat Assessment Professionals**, Florida, September 2020.
- 2020 “Intensive weeklong training course in forensic linguistics for Supervisory Special Agents of the FBI Behavioral Analysis Unit.” Presented (virtually) to **FBI Behavioral Analysis Unit, National Center for the Analysis of Violent Crime, Critical Incident Response Group**, Quantico, VA. June 2020
- 2019 “Forensic Linguistics: The application of linguistic theory to cases of profiling, authorship & counterterrorism.” Presented to the **University Seminars of Columbia University: Language and Cognition**, New York, NY, November 2019
- 2019 “Forensic linguistics: using language evidence in criminal, threat, and intelligence cases, with special reference to homicides.” Presented to the **NYPD Detective Bureau Homicide Investigators Course**, New York Police Department, Office of the Chief Medical Examiner, New York, NY, Jan 2019
- 2018 “Forensic linguistics” in the cause of justice: The Forensic Linguistics Capital Case Innocence Project” Keynote Presented to the Forum on Language and the Law: Non-Native Speakers of English in the Legal System -- a dialog between linguistics experts and stakeholders, Department of Linguistics, **University of Utah**, April 2018. <https://linguistics.utah.edu/languageandlaw/>
- 2018 “Forensic linguistics” CLE Webinar. **National Association of Public Defenders**. June 2018.
- 2018 “Forensic Linguistics: investigating deception, misrepresentation, and disinformation in civil, criminal, and intelligence cases.” Presented to the Workshop on Lying, Deception, Pretense and Noncooperative Communication, **Computer Science Department, Columbia University**, NYC, March 2018.
- 2017 “The Groundbreaking Science of Forensic Linguistics.” Keynote address to 2017 **National Administrative Law Judiciary** Annual Conference: The Administrative Law Judiciary and the Pursuit of Fairness, Due Process and the Protection of Fundamental Rights, Fordham University School of Law, NYC, October 2017
- 2017 “Forensic Linguistics Investigations.” Presented to **The Institute Library**, New Haven CT. September 2017.
- 2017 “Forensic Linguistics and Fraud Investigations.” Keynote address to 17th Annual Emerging Trends in Fraud Investigation & Prevention Conference hosted by Central Ohio Chapter of **Association of Certified Fraud Examiners**, Columbus, OH, May 2017.
- 2017 “Master Class: Advanced techniques in criminal investigations using Forensic Linguistics.” Presented to faculty and students in **Department of Scandinavian Studies and Linguistics and the Law School, Copenhagen University**, Copenhagen, Denmark, March 2017.
- 2016 “Authorship of texting evidence in a murder case in Waco, Texas.” Presented at **Nordic Forensic Linguistics Symposium**, University of Copenhagen, Denmark, December 2016.
- 2016 “Forensic Linguistics in civil, criminal, and intelligence cases.” 4th. Edición de las Jornadas (In)formativas de Lingüística Forense, **Universidad Autónoma de Madrid**, Oct 2016.
- 2016 “Using Linguistic Theory in Forensic Linguistics Investigations: running the gamut from entertainment star fluff cases to civil wrangling among mega-corporations to counter-terrorism, murder—and our Innocence Project.” **Stony Brook Linguistics Club**, Oct 2016.
- 2016 “Authorship Analysis Advanced Workshop.” Featured speaker at Student Day, Roundtable in Forensic Linguistics 2016, **Germanic Society for Forensic Linguistics**, Mainz, Germany, August 2016.

2016 “Forensic Linguistics in a Danish context.” Presented at the **Danish National Police College**, Copenhagen, Denmark. Co-presented with Tanya Karoli Christensen, January 2016.

2016 “Forensic Linguistics, Threat Assessment, and Strategic Analysis.” Lead presenter at multiday training for **Behavioral Sciences Unit, Calgary Police Service**, Calgary, Canada, June 2016.

2016 “Mind the gap. Communicating linguistic theory to police and triers of fact.” Presented at **Law, Language and Communication: negotiating cultural, jurisdictional and disciplinary boundaries** 4th International Conference, Caserta, Italy, May 2016. Co-presented with Tanya Karoli Christensen.

2016 “Forensic Linguistics’ cutting-edge techniques in Intelligence, Civil, and Criminal Investigations.” Public lecture, and Master Class on Authorship, at **Lausanne University**, Lausanne, Switzerland, May 2016.

2016 “Semantics and Saussure’s Arbitrariness of the Sign in Non-Linguistic Meaning Systems.” Plenary address to the 61st Annual Conference of the **International Linguistics Association**, Hofstra University, March 2016.

2016 “Application of Lexicography to Criminal and Civil Cases.”
MetroLex II: **Lexicography, Language, and the Law Dictionary Society of North America**, Oxford University Press, New York City, April 2016. <https://www.youtube.com/watch?v=N4en5cpTBF4>

2016 “Forensic Linguistics in a Danish context.” Presented at the **Danish National Police College**, Copenhagen, Denmark. Co-presented with Tanya Karoli Christensen, January 2016.

2015 “Forensic Linguistics Applications to Domestic and Foreign Counter-Terrorism, Civil, Criminal, and Intelligence Cases, and the Innovative Hofstra Forensic Linguistics Capital Case Innocence Project --An exploration of the cutting-edge forensic science of forensic linguistics through the recent cases of one of its foremost practitioners, Professor Robert Leonard, PhD, of Hofstra University.” CLE program presented at **Administrative Judicial Institute** at the Office of Administrative Trials and Hearings, New York City, December 2015.

2015 “Forensic Linguistics and legal cases.” CLE program for Danish Attorneys, **Danske Advokater**, Copenhagen, November 2015.

2015 “The Groundbreaking Science of Forensic Linguistics: Solving Crimes by Analyzing Language.” **Third Annual World Polyglot Conference**, New York City, October 2015.

2015 “Working as a Forensic Linguistics Expert in the US with Law Enforcement Institutions, Defense Teams, Death Penalty Mitigation Institutions, Civil Lawsuit Attorneys, and Protective Services, and Advanced Academic and Professional Training in the US: The Challenges and Opportunities”

and

“The Hofstra Forensic Linguistics Capital Case Innocence Project: Words on Trial, Revisited”
Featured speaker at Roundtable in Forensic Linguistics 2015, the **Germanic Society for Forensic Linguistics**, Mainz, Germany, September 2015.

(Named “**Outstanding Forensic Linguist of the Year** –for contributions to the theory, research, and education of Forensic Linguistics/Phonetics” by the **Germanic Society for Forensic Linguistics**)

2015 “Forensic Linguistic Intelligence Gathering – Corporate, criminal and civil intelligence gathering through advanced forensic linguistic techniques.” Featured speaker at the **Annual Threat Assessment Management Conference, Association of Threat Assessment Professionals Worldwide**, Anaheim, CA, August 2015.

2015 “Forensic Linguistics: Applications to Intelligence, Law Enforcement, Counterterrorism and Threat Assessment.” Presented at Danish National Police, **Danish Police College, Institute for Criminal Investigation, Intelligence and Analysis**, June 2015.

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- 2015 “Applying variationist sociolinguistic theory to forensic analyses.” Presented at **Copenhagen University**, Copenhagen, Denmark, June 2015.
- 2015 “Theoretical aspects of forensic linguistic investigations in Criminal, Civil and Intelligence Cases.” Presented at the **University of Virginia**, Charlottesville. Feb 2015.
- 2014 “The theoretical underpinnings of teaching Forensic Linguistics.” Featured speaker at The **Columbia School Linguistic Society’s Seventh Institute for the Study of Form, Meaning, and Human Behavior in Language**, Brooklyn, NY, August 2014.
- 2014 “Forensic Linguistics: the analysis of legal evidence that is language. Linguistique légale: l’analyse du langage comme prévue juridique.” Plenary address to the 59th Annual Conference of the **International Linguistics Association**, Université Panthéon-Assas, Paris II, France, May 2014.
- 2013 “Words on Trial—A New Approach to Investigations, Interrogations and Confessions: Forensic Linguistics.” CLE program for **Nassau County Bar Association** and the **Nassau County Criminal Courts Bar Association**, November 2013.
- 2013 “Language as Evidence: Scientific Linguistic Analysis in Criminal, Civil and Intelligence Cases.” **44th Hofstra University Distinguished Faculty Lecture**, October 2013.
- 2013 “Threat assessment intelligence analysis: maximizing intelligence yield from threat letters, texts, emails, and intercepted communications.” Presented at **Terrorist Information New York-London Group**, New York, September, 2013.
- 2013 “Linguistics and Analysis of Language Evidence.” **Multi-state CLE** video session (good for CLE credits to attorneys in Arkansas, Arizona, Alaska, California, Georgia, Hawaii, Illinois, Maryland, North Dakota, New Jersey, and New York), July, 2013.
- 2013 “Language as Evidence: Words on trial.” 31st Annual lecture, **The Yale Sherlock Holmes Society**, Yale University, June, 2013.
- 2013 “Linguistics and Language Evidence in Criminal, Civil, and Intelligence Cases.” CLE program presented at **Touro Law School**, April, 2013.
- 2013 “How to Solve Crimes with Words: Techniques (and Careers) in Forensic Linguistics,” Presented to **Yale Graduate School** linguistics and language faculty and students, Yale University, April, 2013
- 2013 “Forensic Linguistics: Analyzing Written and Oral Language Evidence.” CLE program presented at **Administrative Judicial Institute** at the Office of Administrative Trials and Hearings, New York City, March, 2013.
- 2012 “Linguistic analysis of a covert recording to assist a judge in determining whether a defendant was in the room when the judicial bribery was discussed: dialect variation, semantics of pronominals, framing content, introduction and support of conversational topics.” Presented at **Centre for Forensic Linguistics**, Aston University, Birmingham, UK, November, 2012.
- 2012 Convened **Language as Evidence Conference**, and presented “Linguistics and Language Evidence in Criminal, Civil, and Intelligence Cases.” Hofstra University, October, 2012.
- 2012 “Linguistic expert witness testimony aiding the trier of fact: does the language data support the inference that the defendant was or was not at the scene of a conspiracy to bribe a judge.” Presented at 11th International **Columbia School Conference**, Rutgers University, New Brunswick, New Jersey, October, 2012.
- 2012 “Forensic Linguistics Applications to Law Enforcement, Counterterrorism and

Threat Assessment.” Presented to **Merseyside-Liverpool and Manchester Police** at St. Helens University, St Helens, UK, July 2012.

2012 “Linguistics and Forensic Linguistics.” Presented at **Copenhagen University**, Copenhagen, Denmark, June 2012.

2012 “Master Class in Forensic Linguistics.” Presented at LANCHART PhD Group, **Copenhagen University**, Copenhagen, Denmark, June, 2012.

2012 “Linguistic theory and its forensic applications to authorship, linguistic profiling, counterterrorism, law enforcement and FL-enhanced threat assessment.” Presented in three daylong sessions by invitation of **Ontario Provincial Police, Criminal Behaviour Analysis Unit, Threat Assessment and Criminal Profiling Unit**, Ontario, Canada, June 2012.

2012 “Advanced techniques in criminally oriented Authorship Analysis.” Presented at **Centre for Forensic Linguistics**, Aston University, Birmingham, UK, February, 2012.

2011 “Advanced techniques in forensic linguistics approaches to security, counterterrorism, law enforcement and FL-enhanced threat assessment.” Week-long presentation for **UK government**, London, November, 2011.

2011 “Forensic linguistic techniques and procedures to interdict and prosecute international and domestic counterterrorism” Presented at **Terrorist Information New York Group** (TINYg- linking the USA and UK), London, October, 2011.

2011 “Forensic Linguistics Applications to Law Enforcement, Counterterrorism and Threat Assessment” Presented at **Canadian Association of Threat Assessment Professionals**, Banff, Alberta, Canada, September, 2011.

2011 “International and domestic counterterrorism: forensic linguistics and threat assessment techniques; how the UK and US must work in tandem” Presented at **Terrorist Information New York Group** (TINYg- linking the USA and UK), New York, April, 2011.

2011 “Forensic linguistics approaches to security, counterterrorism, law enforcement and FL-enhanced threat assessment.” Presented in four sessions by invitation of **UK government**, London, January 24, 2011.

2010 “Slang! What is it good for?! – The utility, motivation and poetry of slang in pulp fiction and other popular literary genres.” [Slang and other lexical choice as marker of genre and group]. Presented at the **Hofstra University Library Symposium** Kapow! From Pulp Fiction to Google Books , Hempstead, NY, October 22, 2010.

2010 “Linguistic meaning, pragmatics and context: Semantic analysis of evidence in a double homicide trial.” Presented at 10th International **Columbia School Conference** on the Interaction of Linguistic Form and Meaning with Human Behavior: Grammatical analysis and the discovery of meaning, Rutgers University, New Brunswick, New Jersey, October 9-11, 2010.

2010 ”Using Forensic linguistics to protect: techniques for investigation, interdiction, and prosecution.” Presented at The **Association of Threat Assessment Professionals**, Northeast Chapter Meeting, New York, New York, September 27, 2010.

2010 “Testifying on meaning”; “Sociolinguistic profiling in investigative contexts”; and “Coerced and other invalid confessions.” Presented at International Summer School in Forensic Linguistic Analysis 10th Edition, **Centre for Forensic Linguistics**, Aston University, Birmingham, UK., 28 June – 3 July 2010

2010 “A new approach to interrogations and confessions: forensic linguistics.” Presented at **joint CLE/APACE session** of psychologists, psychiatrists and Legal Aid attorneys, Forensic Psychiatry, Kings County Hospital Center, Brooklyn, New York, May 22, 2010.

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- 2010 “Five types of false and invalid confessions, including two previously undescribed categories.” Presented at **Criminal Appeals Bureau**, Legal Aid Society, New York, New York, January 25, 2010.
- 2009 “Forensic linguistics in investigation and prosecution, with specific reference to threat and stalking cases.” Featured speaker at the 19th Annual Threat Assessment Management Conference, **Association of Threat Assessment Professionals Worldwide**, Anaheim, CA, August 11-14, 2009.
- 2009 “Forensic applications of discourse marker analysis.” Presented at the **International Association of Forensic Linguists** 9th Biennial Conference, Vrije Universiteit, Amsterdam, July 9 2009.
- 2009 “Communication, litigation, and forensic linguistics.” Co-presenter Jesse Graham, Esq. **Continuing Legal Education, Rivkin Radler LLP**, Uniondale, NY, June 30, 2009.
- 2009 “Speech Acts, Schemata and the Cooperative Principle: three useful concepts in understanding a false confession: Linguistics theoretical issues in forensic linguistics cases.” Presented to the **Linguistics Dept., Georgetown University**, Washington, DC. March 31, 2009.
- 2009 “Testing linguistic theory: systems of identity, honor and power: food behavior in a Swahili city-state, and a Federal extortion case in a Texas court.” Presented at the **Institute for Social and Economic Research & Policy (ISERP), Columbia University**, NY, February 23, 2009.
- 2009 “Forensic linguistics for investigative practitioners: threat assessment, counter-terrorism, linguistic profiling and authorial attribution.” Presented at the **Center for Modern Forensic Practice & Department of English, John Jay College of Criminal Justice** of the City University of New York, NY, NY, February 20, 2009.
- 2007 “Linguistic variation and schema analysis in forensic linguistic cases: looking beneath the surface at language evidence.” Featured speaker at the 17th Annual Threat Assessment Management Conference, **Association of Threat Assessment Professionals Worldwide**, Anaheim, CA, August 14-16, 2007.
- 2007 “Sociolinguistics as forensic science.” Presented at Forensic Linguistics Workshop for Law Enforcement Practitioners, Behavioral Analysis Unit-1 (Counter-terrorism and Threat Assessment) , National Center for the Analysis of Violent Crime, Critical Incident Response Group, **Federal Bureau of Investigation**, Quantico, VA, July 23-27, 2007.
- 2007 “Utilizing Shuy’s approaches to speech act, schema, cooperative principle and context in an espionage case.” Presented at Special Plenary Panel Honoring Roger Shuy, **International Association of Forensic Linguists**/Language and Law Eighth Biennial Conference, Seattle, Washington, July 12-15, 2007.
- 2007 “Linguistic evidence of promises, threats, and power in an FBI interrogation of a suspected spy.” Presented at the **Ninth International Columbia School Conference** on the Interaction of Linguistic Form and Meaning with Human Behavior, The City College of New York, February 18-19, 2007.
- 2006 “Forensic linguistic applications to investigative and threat assessment techniques.” Presented at The **Association of Threat Assessment Professionals**, Northeast Chapter Meeting, New York, New York, November 6, 2006.
- 2006 “Unlocking forensic language evidence in investigations and prosecutions.” Plenary address at **Ohio Attorney General’s Conference on Law Enforcement**, Columbus, Ohio, October 27, 2006.
- 2006 “The world of forensic linguistics.” Presented at **Nassau Academy of Law Continuing Legal Education**, Mineola, NY, October 16, 2006
- 2006 “Forensic linguistic and Sociolinguistic applications to law enforcement and threat assessment.” Presented to representatives of Secret Service, NYPD, New Jersey State Park Police, New Jersey State Troopers, FBI-NYFO, ATF, Security from Empire State building, Rockefeller Center, United Nations, NY Stock Exchange, **U.S. Park Police, National Park Service**, Ellis Island, August 3, 2006.

2006 "Sociolinguistic applications to a law enforcement model." Presented at Forensic Linguistics Workshop for Law Enforcement Practitioners, Behavioral Analysis Unit-1 (Counter-terrorism and Threat Assessment), National Center for the Analysis of Violent Crime, Critical Incident Response Group, **Federal Bureau of Investigation**, Quantico, VA, May 8-12, 2006.

2006 "Overview of forensic linguistics in civil and criminal litigation: author identification, statutes, contracts, copyrights, trademarks, and crimes of language such as perjury, solicitation, bribery and conspiracy." Presented at Seminar on Current FBI and Academic Techniques in Forensic Linguistics, **Hofstra University**, April 19, 2006.

2005 "Simple Words: the art and science of forensic linguistics." Presented at **North Shore Medical Center-LIJ Internal Medicine Group Annual Meeting**, November 9, 2005.

2005 "Forensic linguistics: applying the scientific principles of language analysis to issues of the law." Presented at The Third International Conference on **New Directions in the Humanities**, **Cambridge University**, UK, August 5, 2005.

2005 **International Linguistic Association** lecture: "The law is language, the law is data: forensic linguistics, *NYPD Blue* and the importance of schemas." Presented at New York University, February 12, 2005.

2004 "Keynote address: language and culture on the streets of New York." Presented at Education, Language, Culture, Development, **City College**, New York City, June 17-19, 2004.

2004 "Keynote address: Youth movements, music, world language and culture." Presented at the Fifteenth Annual Academic Conference of Smithtown High School and the **SUNY Stony Brook Center for Excellence and Innovation in Education**, "Youth movements as a force in History," Smithtown High School, New York, May 27, 2004

2004 "Semantic analysis of tape recorded conversations: meaning as explanation of a discourse strategy exploiting the "mitigation of claim" of 'non-standard' *like*." Co-author. Presented at the Eighth International **Columbia School Conference** on the Interaction of Linguistic Form and Meaning with Human Behavior. City College, New York City, February 14-15, 2004.

2003 "*Virginia v. Black* and the Supreme Court: scientifically establishing the meaning of a symbol [cross-burning]." Presented at the **Law and Society Association of the United States and Canada** annual meeting, Pittsburgh, PA, June 2003.

2002 "Food and drink and the transformation of meaning." Presented at the 28th Annual conference of the **Southern Comparative Literature Association**, Tuscaloosa, Alabama, October 10-12, 2002.

2002 "The language scientist as expert on legal 'Ordinary' Meaning." Presented at the **Law and Society Association of the United States and Canada** annual meeting, Vancouver, Canada, May 2002.

1994 "Notes on *Uki*, East African honey wine." (A semiotic study of an African traditional beverage which I was taught to brew and use ceremonially when I sat on the elders' council of the Katheka Kai Akamba ethnic group in Eastern Province of Kenya). Presented (in absentia) at **Oxford Food Symposium**, **St. Antony's College**, **Oxford University**, Sept 1994.

1993 "Non-linguistic systematic meaning." Presented at Third International **Conference of the Columbia School of Linguistics**, Rutgers University, October, 1993. Co-author: Wendy Saliba.

1992 "Language change, language equality, and cross-cultural constructions of reality." Presented at 15th Annual Conference of the Organization for the Study of Communication, Language and Gender, **Hofstra University**, Hempstead, NY, October 1992.

1991 "The language of money." Presented at Money: Lure, Lore and Liquidity Conference, **Hofstra University**, Hempstead, NY, November 1991.

1991 "Grammatical meanings and thematic organization." Presented at Second International **Conference of the Columbia School of Linguistics**, University of Virginia, Charlottesville, October 1991.

1991 "Food, drink, and Swahili public space." Presented at **Oxford Food Symposium, St. Antony's College, Oxford University**, Sept 1991. Co-authored with Wendy Saliba.

1989 "Mid-deixis in Swahili and its exploitation in structuring text." Presented at First International **Conference of the Columbia School of Linguistics**, Columbia University, New York, August 1989.

1986 "The Swahili system of deixis and its utilization in the structuring of discourse." Presented at Seventeenth Annual **Conference on African Linguistics**, University of Indiana, Bloomington, April 1986.

1979 "The semantic constants of Standard Swahili e, ka, and nge." Presented at Tenth Annual **Conference on African Linguistics**, University of Illinois, Champaign-Urbana, April 1979.

1977 "Entering the speech community--with special emphasis on Mombasa (Kenya) street criminals." Presented at Professor William Labov's **Sociolinguistics Seminar, University of Pennsylvania**, October, 1977.

PRESENTATIONS -- COMMUNICATION ACROSS INTERNATIONAL CORPORATE CULTURES

1991 "Cross-cultural aspects of international business negotiations." Series of seminars given to Soviet executive management groups, Hempstead, NY and New York, NY.

1990 "Doing business in Africa: cross-cultural considerations." Presented at 100 Black Men of Nassau/Suffolk Import-Export Seminar, Hempstead, NY, May 1990.

1990 "American cultural behavior." Presented to delegation from the Ministry of Education of the Republic of Turkey, Central Islip, May 1990.

1989 "National culture and corporate culture." Presented to the delegation from the State Agro-chemical Association (formerly the Ministry of Agrochemical Industries) of the Soviet Union, Lloyd Harbor, NY, December 1989.

1985 "The Western businessman in the Islamic world: Intercultural considerations." Presented at the Conference of the Mediterranean Basin, Long Island University, Greenvale, NY, November 1985.

PRESENTATIONS -- INTERNATIONAL EDUCATION

1993 "Intercultural linguistics: the value of fieldwork." Presented at the Interdisciplinary Symposium on Teaching, Hofstra University, March, 1993.

1989 "Medical and safety issues in international educational programs." Presented at the Regional meeting of the Association of International Educators (formerly NAFSA), Albany, NY, November 1989.

1989 "How to establish an education center overseas." Presented at the City University of New York Conference on Developing a Study Abroad Program on Your Campus, New York, NY, May 1989.

1988 "Role of academics abroad: Internationalizing the curriculum and the university." Presented at National Association for Foreign Student Affairs Regions IX and X Conference--Section on U.S. students abroad, Philadelphia, PA, November 1988. Voted "best session of the conference." Repeated at National Meeting, Minneapolis, MN, June 1989.

1988 "Education for a new world order." Presented at Scientists-Educators-Government Officials' Roundtable, Bangalore, India, September 1988.

1985 "Choosing the most effective study-abroad models." (Developing experiential assignments to match academic and career path objectives.) Presented at Key Educational Systems Symposium of the National Association for Foreign Student Affairs, Princeton, NJ, November 1985.

1985 "Crisis handling in the developing world." (Ensuring expatriate student and staff safety during political strife or medical emergency.) Presented at 38th Annual Conference of the Council on International Educational Exchange, New York, NY, November 1985.

1982 "Current opportunities for undergraduate field work in Kenya." (e.g., market studies, scientific research, agronomy, socio-economics, language.) Presented at Africa-Asia-the Americas: Conference on Teaching and Research, State University of New York, October 1982. Co-authored with Lawrence Weiss.

PROFESSIONAL ORGANIZATIONS

Member: International Association of Forensic and Legal Linguists
Columbia School Linguistics Society
Linguistic Society of America
International Language and Law Association

BUSINESS-RELATED EXPERIENCE

1986-1990 **Chair, Internship Program**
National Institute for World Trade, Huntington, NY

1986-1990 **Member, Education Committee**
World Trade Club, Long Island Association

1969-70 **Leader, Lead Singer, and Business Manager, Sha-Na-Na**
While undergraduate at Columbia. (Sha-Na-Na developed its own syndicated TV show and performed in the movie *Grease*.) Supervision of group members and employees, conducting rehearsals, scheduling, etc., dealing with agents, managers, lawyer, record company, promoters, press, etc., and performing as lead singer. Performances include the *Tonight Show* and the *Woodstock Festival*, and many others.

UNDERGRADUATE COURSES DEVELOPED AT HOFSTRA UNIVERSITY

Introduction to Linguistics

General overview of linguistics, "the scientific study of language." Human language vs. animal systems of communication. Language as a code system. Development of writing. Language and the brain. Sign language. "Good" English controversy and educational policy. Bilingual education. Language history and change. Phonetics and phonology. Semantics, pragmatics, discourse analysis. Language, society and culture. Sapir-Whorf "hypothesis." First and second language acquisition. Propaganda and euphemisms. Non-verbal communication.

Sociolinguistics

The relation of language and society. Language as an indicator of societal identity, group, and status. Case studies of language situations in countries around the world. Diglossia. Language attitudes, change and maintenance. Nonverbal communication.

Students form small teams and replicate a seminal sociolinguistic field experiment demonstrating the interconnectedness of language and social class.

Experiments in Sociolinguistics

A field-based approach to sociolinguistics. Students conduct a series of investigations of sociolinguistic behavior through student-designed independent fieldwork. A bibliographic-based research paper is also required. Current field projects are:

1. Social Groupings in the Student Community.
2. Gender Variation in Verbal Response to Nonverbal Communication.
3. Structure of Vernacular Narratives.
4. Social Class and Language Variation.

Senior Honors Seminar: Culture, Language and Voice (Co-developed and taught with Dr. Lisa Merrill)

Cultural perspectives and some of the problems of cross-cultural communication and negative valuation, studied through symbolization and performance linguistically, behaviorally, and through narrative. Linguistic and other communicative behavior of groups and genders is both different and differentially valued. Subordinates in a hierarchy, such as women and ethnic minorities, are set apart by their language use. Cultures discussed are from

different parts of the world, such as the Swahili, the Japanese and the Colombians; cultures that exist within a single country, such as the United States' Cajuns, Hutterites, and the racial cultures of Black and White. Throughout, we examine gender differences and similarities and the social construction of gender identities. Perceptual filters; Point of view and narrative voice; Multiple points of view; Case study; Gender, voice and values; Language and social value; Messages of inclusion and exclusion: deep-structure interpretation of the food code; Negotiation simulation; Applications.

Kenya in Contemporary Africa

Focus on four important forces of change directly affecting modern Kenyans. Urbanization is the headlong flight of rural populations into the cities. Monetization is the integration into the cash economy and the larger world economy and the continuation of Kenya's centuries-long underdevelopment vis-à-vis foreign trade partners. Detribalization and Europeanization are the loss of traditional "village" value systems and languages and the influence of urban societies, Western education and religion, and the secular values of the global consumer economy. Degradation of the environment includes overpopulation, erosion, deforestation, desertification, and competition for land between humans and wildlife.

Elementary and Intermediate Swahili: Swahili 1, 2, 3, 4

Fundamentals of conversation, grammar, reading and writing in the most widely spoken language of East Africa. Elements of culture of the Swahili and other East African ethnic groups.

Cross-Cultural Linguistics

Language as joiner and divider. Linguistic aspects of cross-cultural communication themes: perception, value systems, ethnocentricity and cultural relativity, paralinguistic behavior, time/space, foodways, social interaction. Linguistic reinforcement of class, ethnic, religious and national divisions. Sapir-Whorf hypothesis. Barriers to effective translation.

Power of Words

Societal divisions and power differentials caused and maintained by language. Propaganda, advertising, and political manipulation of news. Social, geographical and ethnic dialect divisions: dialects vs. the standard language, and ethnic and racial linguistic prejudice. Language, sex, and gender roles. Linguistic acculturation of the sexes. Doctor and lawyer talk.

Language and Culture

Examination of language, the most powerful and complex communicative instrument available to humans. Language as a sign-system unique to the species, as a reflection of cultural values, and as an artistic instrument in both day-to-day speech and, especially, in literature. Analysis of sections of literary works in Swahili, a Bantu language of East Africa, and English.

Language and Society in Africa, Asia and Latin America (Multicultural Core Course) Examination of the relation between language and society with emphasis on Africa, Asia and Latin America. Conflict between nationalist languages and former colonial world languages. Language as a cognitive system. Language as an indicator of societal identity, group, and status. Diglossia. Language planning in government, industry and education. Language attitudes, change and maintenance. Case studies of language situations in countries around the world.

University Honors Program Senior Honors Seminar: Meaning, Language, and Communication Across Cultures

Semiotic (meaning) systems such as language, clothing, architecture and food and how they create a culture's "reality." Semiotic systems as self contained systems ("tout se tient.") Centrality of arbitrariness and systematicity. Processes and problems of intercultural communication. Ethnocentricity and evolutionary forces on ethnocentrism. Language as joiner and divider. Communicative vs. mere grammatical competency. Linguistic aspects of intercultural communication themes: perception, value systems, ethnocentricity vs. cultural relativity, paralinguistic behavior, time/space, foodways, social interaction. Students complete a field trip to an unfamiliar "ethnic" neighborhood; a book report on a inter-cultural aspect of one's own major or planned career; a class presentation on the book; various interviewing assignments and analyses; and a 15-page structured term paper.

Language and Law

This course applies linguistic theory to the analysis of language data in legal settings. Much legal evidence and data are linguistic in nature, yet the use of scientific techniques to help explicate them is a relatively recent phenomenon. Just as medical evidence is profitably commented on by medical experts, language evidence, it is becoming increasingly seen, is advantageously examined by linguistic experts. Ordinary versus Plain meaning, the language of contracts, confession events, disputed authorships, the nature of questions, code-switching, examination and cross examination, cross-cultural aspects of jurisprudence.

Linguistic Field Methods

Natural data collection using Labovian field interview techniques. Semantic analysis of recorded speech and written texts, and the differences in coherent context. Conversational and narrative structure.

Forensic Linguistics Internships

Interns work with HCLAS professors and/or Law clinic students and faculty on language-related legal cases such as authorship, false confessions, or consensual searches.

GRADUATE COURSES DEVELOPED AT HOFSTRA UNIVERSITY

Forensic Linguistics for Law Enforcement

Graduate-level course designed specifically for FBI Supervisory Special Agents of Behavioral Analysis Units, Critical Incident Response Group, National Center for the Analysis of Violent Crime.

Introduction to Linguistics

Introduction to theory and methods of linguistics at the graduate level: universal properties of human language; phonetic, phonological, morphological, syntactic, and semantic structures and analysis; characteristics and form of grammar.

Morphology and Syntax

Descriptive analysis of morphological and syntactic structures in natural languages; emphasis on insight into nature of such structures rather than linguistics formalization.

Semantics and Pragmatics

Survey of most important theoretical and descriptive claims about the nature of meaning .

Sociolinguistics

Study of patterned relationships between language and society; social dialects and social styles in language; dynamics of multilingual societies.

Dialectology

Scope and applications of dialect study; history of English dialects; standard versus non-standard varieties; development of dialect study; non-standard dialect and literature.

Forensic Linguistics: Applications

A case-based approach to solving legal and law enforcement problems through linguistic analysis. This course augments legal analysis by applying rigorous, scientifically accepted principles of linguistic analysis to legal evidence such as letters, confessions, contracts, and recorded speech. Topics include linguistic theory, the structure of meaning systems and their arbitrary nature, sociolinguistic analysis of variation in dialect and language, the apparent “sub-dialects” of American males and females, gestures, inter-cultural communication, language and social organization, and the role of standard dialects, non-standard varieties, and slang in delineating social groups. We examine schema, background knowledge, the indeterminacy of meaning, indirect speech, the role of context and inference, discourse analysis, the confession as speech event, conversational analysis, speech acts, the structure of narratives, and how these specifically relate to legal cases.

Linguistic Field Methods

How to collect and analyze language data. This entails (1) understanding the theoretical underpinnings of what constitutes “data” for competing theoretical schools, (2) executing the appropriate collection techniques, and (3) mastering and applying the appropriate theoretical analytical tools to the data collected.

The Language of the Criminal Justice System

This course examines issues arising from the language-law interface, including: speaker/author identification; interpretation and transcription of police interrogations, witness statements, trial discourse; written legal language.

Forensic Linguistic Procedures

Introduction to the analysis and deployment of linguistic evidence in criminal and other legal investigations.

Language Crimes and Discourse Strategies in Undercover Operations

Exploration of the linguistics of bribery, threatening, extortion, perjury and other crimes committed by uttering words, and the undercover recordings usually used in their investigation and prosecution.

Exploration of the language used in undercover operations, when cooperating witnesses (CWs) and police agents wear hidden microphones and covertly tape-record their targets. Focus is on correct uses and misuses of discourse strategies in undercover recordings.

Trademark Disputes

This course examines the linguistics of trademarks against the backdrop of the law of trademarks and unfair competition.

Master's Essay

Development of a substantial thesis based upon original research and theoretical conceptualization. The student will work under the supervision of an appropriate member of the faculty. Open only to students in the Graduate Linguistics program.

Internship in Forensic Linguistics

Supervised practical exposure to the area of forensic linguistics via placement in an appropriate non-profit, public sector, or private sector organizational setting. Weekly classroom meetings for students in internships will be utilized to discuss substantive, professional, and logistical issues associated with their individual experiences.

Forensic Linguistics Capital Case Justice Project Internship

Supervised case analysis of language evidence in capital case crimes. Coordination with Hofstra Law School students supervised by Professor of Constitutional Law, to review applicability and legal issues. Preparation of report drafts.

Forensic Linguistics Internship with Institute for Forensic Linguistics, Threat Assessment and Strategic Analysis

Supervised case analysis of language evidence in ongoing and cold case criminal investigations. Preparation of report drafts.

Language and the Law: Linguistic Casebook/Language as Evidence (Approved for Juris Doctor Credit at Hofstra Law School)

Forensic linguistics—the application of linguistic theory, research and procedures to issues of the law—augments legal analysis by applying rigorous, scientifically accepted principles of language analysis to evidence such as letters, confessions, contracts, and recorded speech. In the same way that biology and physics can play crucial roles in the interpretation of medical and ballistic evidence, the science of linguistics enables a deeper understanding of legal language phenomena.

This course provides detailed examination of cases—criminal and civil—in which language itself was crucial evidence: we explore the principles of linguistics that were applied to analyze that language evidence, and the procedures and considerations through which judges evaluated the admissibility of expertise and testimony on the evidence. These cases—all ones on which the instructor consulted—involve: the language of interrogations and investigative interviews, conspiracy to commit murder, death threat and suicide letters, the concepts of generic, descriptive, and suggestive in trademark cases, valid and false confessions, authorship investigations, the meaning of contracts, the language of undercover operations, and language crimes—crimes committed by uttering language—such as bribery, extortion, perjury, and solicitation to murder.

Forensic Linguistics Internships

Interns work with HCLAS professors and/or Law clinic students and faculty on language-related legal cases such as authorship, false confessions, or consensual searches.

Expert Witness

This course pairs graduate linguistics students with students from law school. Law students are grouped into firms representing the plaintiff and defendant in a civil case. Linguistics students are assigned to each firm to act as expert witnesses.

One of the key objectives is to provide experience in the realities one may face as working forensic linguistic professionals. This is, therefore, a rigorous course that requires linguistics students to work with their law firms outside of class on tight schedules, analyze the relevant data and produce well-thought-out and well-researched reports with legal guidance from the law firm, be able to explain crucial linguistic topics to the law students in one's firm, and be subjected to intense cross-examinations both at lengthy depositions and at trial.