

Foreword: In Honor of Prof. Bennett L. Gershman

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Bennett Gershman began his legal career as a prosecutor, first as an assistant district attorney in Manhattan and later as a New York State anti-corruption prosecutor. He left this work after a decade to become a founding member of the Pace Law School faculty. Over the course of more than four decades as a teacher, scholar and public commentator, Professor Gershman has built on his earlier experience. Repeatedly honored with the Professor of the Year Award, he not only is an engaging and effective classroom teacher, but is well known for a stunning performance of “Clarence Darrow – A One Man Play” for incoming students each year. Assuming the role of Clarence Darrow, Professor Gershman holds forth for seventy minutes and flawlessly provides inspiration and passion for the law through Darrow’s work.

Professor Gershman’s writings have had an essential role in establishing the subject of prosecutorial conduct—a subject at the crossroads of criminal procedure and professional ethics—as one deserving serious academic study and discussion. In 1985, Professor Gershman’s publication of the first edition of his treatise, *Prosecutorial Misconduct*,¹ which he has kept up-to-date in the decades following, provided the first comprehensive examination of this subject. It has served as a resource to scholars no less than practitioners. Other books have followed. Most recently, his 2018 collection of stories about prosecutors’ work illuminates prosecutors’ conduct at both its best and its worst.² Add to this over 100 articles in law reviews, legal periodicals, and the popular press—to say nothing of blog posts in more recent years. Professor Gershman has lifted the veil from prosecutors’ work, has demonstrated its complexity and importance, and has sparked a lively decades-long academic conversation about how prosecutors should behave and how they should be regulated.

Professor Gershman’s contributions to and influence on the intersection of legal ethics and prosecutors’ conduct is extensive and measured not only by his own impressive scholarship and contributions to public discourse, but also by his influence on other commentators—ourselves included. There are more than 1,500 citations to Professor Gershman in secondary sources,³ and his contributions have and will continue to influence anyone writing in this field.

¹ BENNETT L. GERSHMAN, *PROSECUTORIAL MISCONDUCT* (1985).

² BENNETT L. GERSHMAN, *PROSECUTION STORIES* (2018).

³ A Westlaw search of “adv: bennett w/2 gershman” returned 1,526 secondary source citations.

We are pleased and privileged to recognize Professor Gershman and his scholarly contributions. We could not imagine a more fitting way to do so than by this special issue of the Ohio State Journal of Criminal Law, which advances the ongoing scholarly discussion of prosecutors by collecting new articles on this subject written in Professor Gershman's honor. We thank the journal for inviting us to serve as guest editors of this collection; we thank all of the authors for making interesting new scholarly contributions to the study of prosecutors and their work; and, most importantly, we thank Professor Bennett Gershman for his marvelous work that inspires this celebration.