

Curriculum Vitae of
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EMPLOYMENT

Wake Forest University School of Law – Needham Y. Gulley Professor of Criminal Law, July 2012 to present; Associate Dean for Research and Academic Programs, July 2020 to June 2023; Executive Associate Dean for Academic Affairs, August 2014 to August 2015 and July 2007 to June 2010; Professor of Law, July 1994 to June 2012; Associate Professor, July 1991 to June 1994; Assistant Professor, July 1988 to June 1991.

Stetson University College of Law – Visiting Professor of Law, June-July 2015.

University of Alabama School of Law – Visiting Professor of Law, October-November 2013.

University of Arizona, Rogers College of Law – Visiting Professor of Law, January-March 2012; Distinguished Visiting Scholar, Program in Criminal Law and Policy, February 2010.

Washington and Lee University, School of Law – Visiting Professor of Law, August-December 2006.

North Carolina State University – Visiting Professor of Law and Criminology, Department of Sociology and Anthropology, January-June 2004.

United States Department of Justice, Antitrust Division, Trial Attorney – September 1985 to June 1988. Prosecutions for criminal violations of antitrust, fraud and obstruction of justice laws. Special Achievement Award, 1987, recognition for negotiation skills.

Law Clerk to the Hon. Frank M. Johnson, Jr., United States Court of Appeals for the Eleventh Circuit – July 1984 to July 1985.

EDUCATION

Yale Law School, J.D. 1984
Yale Law Journal, Editor

College of William and Mary, A.B. with Highest Honors 1981

PUBLICATIONS

Books:

OXFORD HANDBOOK ON PROSECUTORS AND PROSECUTION (Oxford University Press, 2021) (edited volume, with Kay L. Levine and Russell Gold), available in part at <https://www.oxfordhandbooks.com/view/10.1093/oxfordhb/9780190905422.001.0001/oxfordhb-9780190905422>

CRIMINAL PROCEDURES: CASES, STATUTES, AND EXECUTIVE MATERIALS (Wolters Kluwer Publishers) (editions in 1998, 2003, 2007, 2011, 2015, 2019, and 2023) (with Marc L. Miller, Jenia I. Turner, and Kay L. Levine)

CRIMINAL PROCEDURES – PROSECUTION AND ADJUDICATION: CASES, STATUTES, AND EXECUTIVE MATERIALS (Wolters Kluwer Publishers) (editions in 1999, 2005, 2007, 2011, 2015, 2019, and 2023) (with Marc L. Miller, Jenia I. Turner, and Kay L. Levine)

CRIMINAL PROCEDURES – THE POLICE: CASES, STATUTES, AND EXECUTIVE MATERIALS (Wolters Kluwer Publishers) (editions in 1999, 2007, 2011, 2015, 2019, and 2023) (with Marc L. Miller, Jenia I. Turner, and Kay L. Levine)

ANNUAL SUPPLEMENTS FOR CRIMINAL PROCEDURES: CASES, STATUTES, AND EXECUTIVE MATERIALS (Wolters Kluwer Publishers) (1999-2023) (with Marc L. Miller, Jenia I. Turner, and Kay L. Levine)

TEACHERS' MANUAL FOR CRIMINAL PROCEDURES: CASES, STATUTES, AND EXECUTIVE MATERIALS (Wolters Kluwer Publishers) (editions in 1998, 2003, 2007, 2011, 2015, 2019, and 2023) (with Marc L. Miller, Jenia I. Turner, and Kay L. Levine)

SENTENCING LAW AND POLICY: CASES, STATUTES, AND GUIDELINES (Wolters Kluwer Publishers) (editions in 2004, 2007, 2013, 2018, and 2022) (with Nora Demleitner, Douglas Berman, and Marc Miller)

ANNUAL SUPPLEMENTS FOR SENTENCING LAW AND POLICY: CASES, STATUTES, AND GUIDELINES (Aspen Publishers) (2005-2013) (with Nora Demleitner, Douglas Berman, and Marc Miller)

TEACHERS' MANUAL FOR SENTENCING LAW AND POLICY: CASES, STATUTES, AND GUIDELINES (Wolters Kluwer Publishers) (editions in 2004, 2007, 2013, 2018, and 2022) (with Nora Demleitner, Douglas Berman, and Marc L. Miller)

ADMINISTRATIVE LAW AND PRACTICE (West Supplements 1992-1995) (with Charles H. Koch)

Articles, Reviews, Chapters, and Essays:

Neglected Discovery, 73 *DUKE L.J.* ____ (forthcoming March 2024) (with Jenia Turner and Michael Braun), available at <https://ssrn.com/abstract=4358981>

Discriminatory Policy Pinned on Wall Should Shock All Prosecutors, *BLOOMBERG LAW*, May 4, 2023 (with Kay Levine and Marc Miller), available at <https://news.bloomberglaw.com/white-collar-and-criminal-law/discriminatory-policy-pinned-on-wall-should-shock-all-prosecutors>

The Prosecutor Lobby, 80 *WASH. & LEE L. REV.* 143-227 (2023) (with Carissa Byrne Hessick and Jessica Pishko), available at <https://ssrn.com/abstract=4082497> and <https://scholarlycommons.law.wlu.edu/wlulr/vol80/iss1/5/>

Expanded Criminal Defense Lawyering, 6 *ANNUAL REVIEW OF CRIMINOLOGY* 241-264 (2023) (with Jenny Roberts), available at <http://ssrn.com/abstract=4197359> and <https://doi.org/10.1146/annurev-criminol-030421-035326>

Electoral Change and Progressive Prosecutors, 19 *OHIO ST. J. CRIM. LAW* 125-156 (2021) (with Jeffrey Yates and Carissa Byrne Hessick), available at <http://ssrn.com/abstract=3849590>

The Ahmaud Arbery Case: Lessons to Prevent Prosecutor Conflicts, *BLOOMBERG LAW*, September 22, 2021 (with Alissa Marque Heydari), available at <https://news.bloomberglaw.com/us-law-week/the-ahmaud-arbery-case-lessons-to-prevent-prosecutor-conflicts>

Community Prosecution and Building Trust Across a Racial Divide, in *OXFORD HANDBOOK ON PROSECUTORS AND PROSECUTION* 413-428 (Oxford University Press, 2021), available in part at DOI: 10.1093/oxfordhb/9780190905422.013.21

Introduction: Understanding Prosecutors in All Their Contexts, in *OXFORD HANDBOOK ON PROSECUTORS AND PROSECUTION* xxiii-xxxvi (Oxford University Press, 2021) (edited volume, with Kay L. Levine and Russell Gold), available in part at <https://www.oxfordhandbooks.com/view/10.1093/oxfordhb/9780190905422.001.0001/oxfordhb-9780190905422-miscMatter-9>

The Shadow Bargainers, 42 *CARDOZO L. REV.* 1295-1371 (2021) (with Jenny Roberts and Betina Cutaia Wilkinson), available at <https://ssrn.com/abstract=3577322>

Models of Prosecutor-Led Diversion Programs in the United States and Beyond, 4 *ANNUAL REVIEW OF CRIMINOLOGY* 331-351 (2021) (with Kay L. Levine), available at <https://ssrn.com/abstract=3601930> and <https://doi.org/10.1146/annurev-criminol-061020-022236>

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Beyond Prosecutor Elections, 67 *SMU L. REV.* 593-615 (2014), available at <https://scholar.smu.edu/smulr/vol67/iss3/11> (symposium issue)

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Fragmented Users of Crime Predictions, 52 *ARIZ. L. REV.* 91-96 (2010) (symposium issue), available at <http://ssrn.com/abstract=1701110>

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How Prosecutor Elections Fail Us, 6 *OHIO ST. J. CRIM. LAW* 581-610 (2009) (symposium issue), available at <http://ssrn.com/abstract=1339939>, translated into Chinese and reprinted in *EXCELLENCE AND THE BOTTOM LINE – US PROSECUTORS INCENTIVE MECHANISM* (May 2015, China Procuratorate Press, ISBN 978-7-5102-1413-4)

Prosecutor Elections and Overdepth in Criminal Codes, in *CRIMINAL LAW CONVERSATIONS* (Paul Robinson, Kimberly Ferzan, and Steven Garvey, eds., 2009, Oxford University Press)

Subjective and Objective Discretion of Prosecutors, in *CRIMINAL LAW CONVERSATIONS* (Paul Robinson, Kimberly Ferzan, and Steven Garvey, eds., 2009, Oxford University Press) (with Marc Miller)

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The Law of Sentencing in the Supreme Court's 1990-91 Term, 4 FED. SENTENCING REPORTER 58-59 (July/August 1991)

Letters from Beyond the Regulatory State, 100 YALE L.J. 825-851 (1990) (reviewing CASS R. SUNSTEIN, AFTER THE RIGHTS REVOLUTION)

Kent Greenawalt and the Border Skirmishes of the First Amendment, 39 EMORY L.J. 1245-1260 (1990) (reviewing KENT GREENAWALT, SPEECH, CRIME, AND THE USES OF LANGUAGE)

Judicial Priorities after Mistretta, 1 FED. SENTENCING REPORTER 374 (February/March 1989)

The Proposed Organizational Sanctions Guidelines and the Issue of Corporate Probation, 1 FED. SENTENCING REPORTER 295-298 (November 1988)

Judge Frank Johnson of Alabama, 1987 ANN. SURV. OF AM. LAW XIX-XXI

In Your Court: State Judicial Federalism in Capital Cases, 18 URBAN LAWYER 659-705 (1986) (with Marc Miller)

Note, *The Civil and Criminal Methodologies of the Fourth Amendment*, 93 YALE L.J. 1127-1146 (1984)

Other Professional Publications:

Prosecution That Earns the Trust of the Community, Executive Sessions of the Institute for Innovation in Prosecution, John Jay College of Criminal Justice (2018) (with Dan

Satterberg), available at https://thecrimereport.org/wp-content/uploads/2018/12/IIP-Community_Trust-paper.pdf

Preventing Death and Injury on the Job: The Criminal Justice Alternative in State Law, publication of the Center for Progressive Reform (March 2016), available at http://www.progressivereform.org/articles/WorkerProsecutionManual_1602.pdf (with Martha T. McCluskey, Thomas O. McGarity, Sidney Shapiro, Rena Steinzor, and Katherine Weatherford)

Piling On Criminal Fees, blog column, 20 May 2015, available at http://www.huffingtonpost.com/ron-wright/piling-on-criminal-fees_b_7342102.html (with Wayne Logan)

Periodic Guest Blogger on *Sentencing Law and Policy* (<http://www.sentencing.typepad.com>), *Empirical Legal Studies* (<http://www.elsblog.org>), and *Prawfsblawg* (<http://prawfsblawg.blogs.com>), July 2004 to December 2010.

Go Slow: A Recommendation for Responding to Blakely v. Washington in the Federal System, written testimony submitted to the Judiciary Committee of the U.S. Senate; 12 July, 2004 (with Berman, Miller, and Demleitner)

The Right to Consult Counsel in Administrative Agency Investigations, Report to the Administrative Conference of the United States (1993)

A Post-Webster Reminder About Delegation and Regulatory Theory, in *ABORTION AND THE STATES: POLITICAL CHANGE AND FUTURE REGULATION* 101-107 (Jane B. Wishner, ed. 1993)

Buffalo Creek: A Game of Discovery, CALI computer exercise: 1991 and 1995 editions (with Owen Fiss)

Drugs and Druggists, in *PERSONAL INJURY: ACTIONS, DEFENSES AND DAMAGES* (Matthew Bender, 1991)

Are Expert Review Committees Protected? An Annotation of Relevant State Statutes, monograph published by the American College of Obstetricians and Gynecologists (1990) (with Jack Smith)

State Level Expert Review Committees – Are They Protected? 105 *PUB. HEALTH REP.* 13-23 (January-February 1990) (with Jack Smith)

Coney Island: A Game of Discovery, CALI computer exercise: 1984, 1985, 1988, 1991, and 1995 editions (with Owen Fiss and Thomas Glocer)

TEACHING EXPERIENCE

Criminal Procedure Adjudication: Spring 2022, Spring 2018 – 2019, Fall 2016, Spring 2013 – 2016, Fall 2011.

Criminal Law: Fall 2015 – 2022, Summer 2015, Fall 2013 – 2014, Fall 2010 – Fall 2011, Fall 2008, Fall 2006, Fall 1999 – Fall 2002.

Evidence: Fall 2017 – 2020, Fall 2022.

Police Institutions Seminar: Spring 2023.

Criminal Procedure Investigations: Spring 2011 (classroom), Summer 2017 – 2023 (online).

Public Law (Masters degree program): Spring 2014 – Spring 2023, Fall 2012, Fall 2021-2022, Summer 2020.

Juvenile Justice Externship: Spring 2016 – 2019.

Prisons and the Criminal Law (undergraduate online course): Spring 2017 – 2020.

Other courses taught in the past – but no longer an active part of the teaching load – include Administrative Law, Analytical Methods for Lawyers, Business Crimes and Torts, Comparative Administrative Law, Comparative Legislative Process, Constitutional Decisionmaking, Constitutional Law I, Courts and Crime Politics (undergraduate course), Crime Policy and the Limits of Law, Criminal Justice and Popular Culture, Criminal Procedure Survey, Criminal Sentencing, Cross-Disciplinary Professional Development, History of the Common Law, Legal Research and Writing, Legislation and Administrative Law, Major Institutional Players of Criminal Justice, Post-Conviction Criminal Procedure, Professional Responsibility, Prosecution Externship, Prosecution Seminar, Regulated Industries, Torts I, and Torts II.

SELECTED PRESENTATIONS

The Peers of Non-Elected Prosecutors, Gordon Gamm Symposium on Comparative Law and Justice; March 2023 at Tulane University School of Law in New Orleans, Louisiana.

Neglected Discovery, Faculty Colloquium, March 2023 at Campbell University in Raleigh, North Carolina.

Prosecutor Charge Selection: Arizona and the National Context, panel discussion for Academy for Justice and the Arizona Prosecuting Attorneys' Advisory Council, December 2022 in Phoenix, Arizona

Defense Use of Digital Discovery in Criminal Cases, presentation to Conference on Empirical Legal Studies; 4 November 2022 in Charlottesville, Virginia

Prosecution Amid Political Contestation and Polarization, panel presentation to International Legal Ethics Conference, UCLA School of Law; 13 August 2022, video link participation

Intrastate and Interstate Variation in Jury Trial Rates, presentation to Crimfest! 2022 and Criminal Justice Ethics Schmooze; 8 June and 18 July 2022 in New York City

Progressive Prosecutors and Plea Negotiation Policies, presentation and panel discussion for a convening of Fair and Just Prosecution; 10 December 2021 in Los Angeles, California

The Role of the Prosecutor, Hometown Debate Series, sponsored by North Carolina Institute of Political Leadership and Spectrum Local News; <https://spectrumlocalnews.com/nc/charlotte/in-focus-shows/2021/10/29/iopl-debate--role-of-the-prosecutor-part-1>, 29 October 2021 in Winston-Salem, North Carolina.

Prosecutor Data as a Route to Accountability for Policies and Trends, Oklahoma House of Representatives, Committee on Judiciary – Criminal; 30 August 2021 in Oklahoma City.

Violent Crime Rates Are Surging. What Can Be Done to Reverse the Trend? All Things Considered, National Public Radio; 24 June 2021 in Washington, D.C.

Racial Equity and Jury Selection: Essential Considerations for Prosecutors, Fair and Just Prosecution; December 2019 in Durham, North Carolina.

Survey Data on Plea Bargaining Practices, Law and Society Association; June 2019 in Washington, D.C.

The Bargaining Part of Plea Bargaining, Neighborhood Criminal Justice Scholars Workshop; May 2019 in Chapel Hill, North Carolina.

The Racial Impact of Juror Exclusion, guest interview for Episode 101 on podcast “Criminal (In)justice,” hosted by Professor David A. Harris and produced by Public Radio station WESA 93.5 FM in Pittsburgh; 2 April 2019, available at <http://www.criminalinjusticepodcast.com/blog/2019/04/02/2019-100-ron-wright>.

Prosecutor Discretion and Public Data, Mississippi State Advisory Committee to the U.S. Commission on Civil Rights, online hearing on Prosecutorial Discretion and Civil Rights; April 2019.

The Jury Sunshine Project, Spring 2019 Criminal Justice Forum at Cleveland-Marshall College of Law, Cleveland State University; April 2019 in Cleveland, Ohio.

Public Records and Racial Disparities in Jury Selection, Center on Race and Social Problems, University of Pittsburgh School of Social Work, March 2019 in Pittsburgh, Pennsylvania.

The Bargaining Part of Plea Bargaining, February 2019 at University of Nevada Las Vegas.

Crowdsourcing Plea Bargains, February 2019 at University of Nevada Las Vegas.

Sharkfest and Public Access to Plea Negotiation Data, Symposium on Dispute Resolution, November 2018 at Texas A&M in Ft. Worth, Texas.

Sharkfests in Plea Negotiations, Crimfest 2018, June 2018 in New York City.

The Listening Prosecutor, Catawba County Public Library and Catawba Valley Community College; March 2018 in Newton, North Carolina.

Juror Selection Records in the Public Square, University of California at Davis, School of Law, Faculty Colloquium; January 2018 in Davis, California.

Prosecution on the Record: Views from 1967 and 2017, Conference on “The Challenge of Crime in a Free Society, Fifty Years Later,” sponsored by the George Washington Law Review; October 2017 in Washington, D.C.

Prosecution that Fits the Local Community, Institute for Innovation in Prosecution, Executive Session; September 2017 in New York City.

The U.S. Consensus on Prosecutor Incentives and Structures, The Institute of Judicial Administration, University of Birmingham; August 2017 in Birmingham, England.

The Satellite View of Local Prosecutor History, Prosecutor’s Forum, sponsored by Vera Institute of Justice and Institute for Innovation in Prosecution, June 2017 in New York City.

Juries: Who Gets to Serve?, guest interview for Episode 45 on podcast “Criminal (In)justice,” hosted by Professor David A. Harris and produced by Public Radio station WESA 93.5 FM in Pittsburgh; 11 April 2017, available at www.criminalinjusticepodcast.com/episodes/ and <https://itunes.apple.com/us/podcast/45-juries-who-gets-to-serve/id1094352910>.

Prosecutors, Flying Blind and Flying Solo, Academy for Justice, Arizona State University; February 2017 in Phoenix, Arizona.

Themes from the History of Prosecutors in the United States, Institute for Innovation in Prosecution; February 2017 in New York City.

Peremptory Challenges in the Sunshine in North Carolina, North Carolina Advocates for Justice; December 2016 in Raleigh, North Carolina.

Discussant, *Do Defense Lawyers Cause Crime? Some Israeli Data*, Conference on Empirical Legal Studies; November 2016 at Duke University; Durham, North Carolina.

Jury Selection Patterns as a Political Issue, Vanderbilt University Law School, Criminal Law Roundtable; November 2016 in Nashville, Tennessee.

Discussant, *Prosecutor’s Roundtable on Criminal Justice*, co-sponsored by White House Domestic Policy Council and Institute for Innovation in Prosecution; October 2016 in Washington, D.C.

Comments on Abrams and Fackler – Durational and Dispositional Plea Disparities Based on Race, National Science Foundation, Research Coordinating Network on Plea Bargaining; October 2016 in Arlington, Virginia.

Darryl Brown’s Criminal Justice Theory and the Hockey Stick Problem, University of Virginia Symposium on Free Market Criminal Justice; September 2016 in Charlottesville, Virginia.

Jury Selection as a Political Issue, Southeastern Association of Law Schools, Annual Meeting; August 2016 in Amelia Island, Florida.

Police Attitudes About Miranda: Clues in the Cases, Consent, and the Civil Law World, Southeastern Association of Law Schools, Annual Meeting; August 2016 in Amelia Island, Florida.

Local Responsiveness for Prosecutors, Southeastern Association of Law Schools, Annual Meeting; August 2016 in Amelia Island, Florida.

Switching Sides Among Prosecutors in State Court, William and Mary Criminal Justice Scholarship Roundtable; May 2016 in Williamsburg, Virginia.

Six Ways for Prosecutors to Stop Spending Other People's Money, Wake Forest Law Review Symposium on "Implementing De-Incarceration Strategies"; March 2016 in Winston-Salem.

Roundtable on State Sentencing Guidelines, Panelist, United States Sentencing Commission; October 2015 in Washington, D.C.

Expanding Criminal Liability of Egregious Workplace Health and Safety Violations, webinar sponsored by Center for Progressive Reform and National Council on Occupational Safety and Health; June 2015 to a national webinar audience.

Scholarship Strategies for New Writers, AALS New Law Teachers Conference; June 2015 in Washington, D.C.

State Prosecutors as Workplace Safety Enforcers, National Council on Occupational Safety and Health, National Conference on Worker Health and Safety; June 2015 in Baltimore.

Bargaining Research from Inside the Office: Negotiation Practices and Objectives Versus Negotiation Outcomes, Research Coordination Network on Plea Bargaining (National Science Foundation) conference at SUNY Albany; June 2015 in Albany, New York.

Switching Sides: Prosecutors Reveal their Thoughts about Defense Work, Law and Society Association Annual Meeting; May 2015 in Seattle.

Reimagining American Prosecution Systems, Robina Institute of Criminal Justice conference; May 2015 in Minneapolis.

The Bargaining Part of Plea Bargaining, AALS Annual Meeting, Criminal Justice Section panel; January 2015 in Washington, D.C.; conference at the College of William and Mary in Virginia, February 2015 (with Jenny Roberts).

Winning Safer Workplaces Webinar, sponsored by Center for Progressive Reform; November 2014 to a national webinar audience.

Sentencing Options for Kosovo, presentation at U.S. State Department conference on Criminal Sentencing in Kosovo; July 2014 in Pristina, Kosovo.

Methodologies of Prosecutor Studies, presentation at Fordham University conference on Criminal Justice and Professionalism; May 2014 in New York.

The Many Faces of Prosecution, presentation at Prosecutorial Discretion conference at Stanford University School of Law; May 2014 in Palo Alto, California.

Open the Shades and Let the Sun Shine In, presentation at the annual meeting of the Southeastern Chapter of the American Association of Law Libraries; April 2014 in Knoxville, Tennessee (with Liz Johnson and Jennifer Noga).

Sentencing Law and Sentencing Climate Change, presentation at Sentencing Structures conference at Loyola University Chicago, School of Law; April 2014 in Chicago, Illinois.

Beyond Prosecutor Elections, presentation at criminal law and procedure conference at Southern Methodist University, Dedman School of Law; January 2014 in Dallas, Texas.

Comparative Aspects of Defense Counsel and Fairness at Trial, presentation at University of Goettingen; December 2013 in Goettingen, Germany.

Mercenary Criminal Justice, presentation at University of Alabama School of Law; October 2013 in Tuscaloosa, Alabama.

The Cure for Young Prosecutors' Syndrome, presentation at Law and Society Association; June 2013 in Boston, Massachusetts.

The Flipped Classroom for Criminal Procedure, presentation at American Association of Law Schools, Criminal Justice Section Meeting; June 2013 in San Diego, California.

Comparative and Quantitative Evaluation of Defense Counsel After Lafler and Frye, symposium presentation at Duquesne University School of Law; March 2013 in Pittsburgh, Pennsylvania.

Defense Counsel Moneyball: A Demonstration Project, symposium presentation at Washington and Lee University School of Law; November 2012 in Lexington, Virginia (with Ralph Peebles).

Frisks and the Long Arc of Police Regulation, presentation to the Federalist Society at Duke University School of Law; October 2012 in Durham, North Carolina.

The Wickersham Commission and Local Control of Criminal Justice, symposium presentation at Marquette University School of Law; October 2012 in Milwaukee, Wisconsin.

Prosecution Office Culture as the Link Between Inputs and Outputs, presentation to the University of Virginia; September 2012 in Charlottesville, Virginia.

Statistics and Faculty Involvement in the Admissions Process, presentation to the annual meeting of the Law School Admissions Council; June 2012 in Boca Raton, Florida.

Prosecution in 3D, presentation for the University of Arizona law faculty; February 2012 in Tucson, Arizona.

The Dutch Prosecutorial Service and Community Prosecution, presentation for the Wake Forest Law Review Fall Symposium; November 2011 in Winston-Salem, North Carolina.

Prosecutorial Discretion and the "Structure" of Sentencing Laws: Testing the Effects of "Depth" and "Distance," paper presented at the annual meetings of the American Society of Criminology; November 2011 in Washington D.C. (with Rodney L. Engen).

Religious Literacy and the Lawyer, presentation for the Voices of Our Times series at Wake Forest University; September 2011 in Winston-Salem, North Carolina.

Disclosure versus Command-and-Control as Regulatory Strategies for Prosecutor Behavior, presentation at annual meeting of the National Association of Sentencing Commissions; August 2011 in Portland, Oregon.

The Cultural Range of Prosecutor Services in North Carolina, presentation at conference on Comparative Study of Prosecution Systems, at the Institute on Crime and Public Policy, University of Minnesota Law School; April 2011 in Minneapolis, Minnesota.

Padilla and the Theory of the Criminal Defense Firm, presentation at UCLA Law Review symposium on Criminal Law and Immigration Law; January 2011 in Los Angeles, California.

Criminal Litigators and the Information Age, presentation at Adaptation and Resiliency in Legal Systems, conference at University of North Carolina School of Law; October 2010 in Chapel Hill, North Carolina.

Popular Control of Criminal Justice Actors, presentation to the faculty at Emory University School of Law; September 2010 in Atlanta, Georgia.

When Does Grandma Scotus Converse Nicely With Others in Criminal Procedure? Presentation at the Southeastern Association of Law Schools; August 2010, in West Palm Beach, Florida.

Continued Convergence of Immigration and Criminal Practice after Padilla v. Kentucky, presentation at North Carolina Bar Association; June 2010, in Cary, North Carolina.

Political and Bureaucratic Accountability of Prosecutors, presentation at Prosecutorial Power: A Transnational Workshop at Washington and Lee University School of Law; April 2010, in Lexington, Virginia.

Public Defender Elections and Popular Control Over Criminal Justice, presentation at the 2010 Missouri Law Review Symposium, Broke and Broken: Can We Fix our State Indigent Defense Systems?, conference at University of Missouri School of Law; February 2010, in Columbia, Missouri.

Election of Public Defenders, presentation to the faculty at the University of Arizona, Rogers School of Law; February 2010, in Tucson, Arizona.

How Do Baby DAs Grow Up, and Why Should We Care?, presentation to faculty and students at University of Arizona, Rogers School of Law, Program in Criminal Law and Policy; February 2010, in Tucson, Arizona.

Systems and Culture in a Prosecutor's Office to Promote Compliance, panel discussion at the Conference on Prosecutor Compliance with Disclosure Obligations at Cardozo School of Law; November 2009 in New York City.

Encouraging Electoral Challenges to Incumbent Prosecutors, presentation at annual conference of the Southeastern Association of Law Schools; August 2009 in Palm Beach, Florida.

Mexican Drug Violence and Adversarial Experimentation, presentation to the Conference on the Future of the Adversary System at University of North Carolina at Chapel Hill; April 2009 at Chapel Hill, North Carolina.

The Power of Information Versus the Power of Enforcement, testimony before the United States Sentencing Commission during regional hearings to mark the twenty-fifth anniversary of federal sentencing legislation; February 2009 in Atlanta, Georgia.

Roundtable on "Second Look" Sentencing Reforms, roundtable discussion sponsored by American Bar Association's Commission on Effective Criminal Sanctions; December 2008 in Washington, D.C.

Sentencing Guidelines and Community Corrections, presentation to California Summit of Judicial Leaders, sponsored by the Judicial Council of California; October 2008 in Monterey, California.

Discovering the Old World of Content Analysis, presentation to the Judicial Behavior Workshop at the University of Chicago Law School and the Northwestern University School of Law; October 2008, in Chicago (with Mark Hall).

The Balance of Power Between Prosecutors and Judges, plenary presentation to the National Association of Sentencing Commissions; August 2008 in San Francisco.

Progress Report on the Law School's Law Range Plan, presentation to the Law Alumni Council and Law School Board of Visitors at the Leadership Conference; July 2008 in Kiawah Island, South Carolina.

Why Prosecutor Elections Fail Us, round table presentation, Ohio State University symposium on Prosecutorial Discretion; July 2008 in Columbus, Ohio.

Scholarship Methods, Scholarship Topics, presentation to the AALS New Law Teachers' Conference; June 2008 in Washington, D.C.

Social Norms among Prosecutors, presentation for faculty colloquium at Washington University School of Law; February 2008, in St. Louis, Missouri.

Dead Wrong, presentation at the symposium Beyond Innocence, University of Utah, Quinney School of Law; November 2007, in Salt Lake City, Utah.

Criminal Justice Metrics for the People, The Hoffinger Colloquium Lecture at the New York University School of Law; September 2007, in New York City.

Charge Movement and Theories of Prosecutors, presentation at the symposium on Plea Bargaining and Dispute Resolution, Marquette University School of Law; April 2007, in Milwaukee, Wisconsin.

Prosecutor Responses to Racial Disparities in Policing, presentation to a faculty colloquium at the University of Georgia School of Law; February 2007, in Athens, Georgia.

Systematic Content Analysis of Judicial Opinions, presentation to a faculty colloquium at the Florida State University School of Law; October 2006, in Tallahassee, Florida.

The Black Box of Prosecutorial Discretion, presentation at the Empirical Legal Studies Conference; October 2006, at the University of Texas School of Law in Austin, Texas.

Delivering the Ideas, presentation to the AALS New Law Teachers' Conference; June 2006, in Washington, D.C. (presented same address in June 2003 and June 2005).

The Black Box, presentation for faculty colloquia at the University of Alabama School of Law; March 2006 in Tuscaloosa, Alabama. Also presented at Florida State University School of Law, April 2006, in Tallahassee, Florida; College of William and Mary, Marshall-Wythe School of Law, October 2006 in Williamsburg, Virginia.

The Power of Bureaucracy after Blakely and Booker, presentation at the Symposium on Sentencing After Booker, sponsored by the University of Houston School of Law; November 2005 in Houston, Texas.

The Rhetoric of the Incremental and the Incendiary after Booker and Blakely, presentation at the Symposium on Sentencing Rhetoric after *Booker*, sponsored by the Roger Williams University School of Law; October 2005 in Bristol, Rhode Island.

Review of the Constitutional Background for the Sykes Investigation, presentation to the Sykes Administrative Review Committee of the City of Winston-Salem; October, 2005.

Reasons as Law for the "Lawless" Prosecutor, presentation to a faculty colloquium at the University of Iowa School of Law; October 2005, in Iowa City, Iowa.

Trial Distortion and the End of Innocence in Federal Criminal Justice, presentation for the Fall Authors' Luncheon of the University of Pennsylvania Law Review; October 2005, in Philadelphia, Pennsylvania.

Blakely and the Role of Certainty in Crime Politics, presentation at the Southeastern Association of Law Schools; July 2005, in Hilton Head, South Carolina.

Sentencing Commissions as Provocateurs of Prosecutorial Self-Regulation, presentation and panel discussion at Columbia Law School; January 2005, in New York City.

Smoother Plea Negotiations After Blakely, presentation and panel discussion at the National Roundtable on Sentencing at Stanford Law School; October 2004 in Palo Alto, California.

Crime Politics and Crime Budgets: A National and Historical Perspective on North Carolina's Current Dilemma, presentation to the North Carolina Symposium on Sentencing and Public Safety; April 2004 in Durham, North Carolina.

Plausible Sentencing Reforms, Here and Now, From the State Vantage Point, testimony to the Justice Kennedy Commission of the American Bar Association; November 2003 in Washington, D.C.

Researching Prosecution from the Inside Out, presentation to the American Prosecutors Research Institute; May 2003 in Washington, D.C.

The Screening Bargaining Tradeoff, presentation to conference at Stanford Law School; February 2003 in Palo Alto, California. Also presented at Tulane Law School; April 2003 in New Orleans, Louisiana.

The Supreme Court's Fire and Ice in Criminal Justice, conference at Washington and Lee University School of Law; March 2002 in Lexington, Virginia.

The Sentencing Judge as Immigration Judge, Emory University School of Law, Thrower Symposium; February 2002 in Atlanta, Georgia (with Margaret Taylor). Also presented to the Carolina Seminar on Law and Public Policy; October 2002 in Chapel Hill, North Carolina.

Is the Drug War De-Escalating? Where to Look and Where Not to Look for Evidence, Association of American Law Schools, Section on Criminal Justice; January 2002 in New Orleans, Louisiana.

The House Side of Federal Sentencing in 1984, Federal Judicial Center, Sentencing Workshop for Federal Defenders and CJA Panel Attorneys; March 2001 in Santa Fe, New Mexico.

Trial Rates, Sentencing Departures, Chickens and Eggs, Federal Judicial Center, Sentencing Workshop for Federal Public Defenders; February 2000 in Washington, D.C.

Kenneth Starr as an Ordinary Prosecutor, North Carolina Civil Liberties Union, Greensboro chapter; October 1998.

A New Legislative History of the 1984 Sentencing Reform Act, Federal Public Defenders of the Ninth Circuit; September 1998 in Las Vegas, Nevada.

Georgia's Sentencing Options for 1997-98 and Beyond, Georgia Senate Sentencing Commission; June 1997 in Atlanta, Georgia.

In Favor of the Proposed Victim's Rights Amendment to the North Carolina Constitution, Debate sponsored by the Committee on Constitutional Integrity; October 1996 at Wake Forest University.

Expert Panelist, *Online Hearing* of the U.S. Sentencing Commission, LEXIS/NEXIS Counsel Connect service; October 1996.

Population Management and Three Phases in the Life of a Sentencing Commission, National Association of State Correctional Administrators; November 1995 in San Diego, California.

Incompletely Theorized Power Grabs, Comment on the 1995 Holmes Devise Lecture, sponsored by the Library of Congress; October 1995 in Winston-Salem, North Carolina.

Panel Participant, *Fourth and Sixth Circuit Departures from the Federal Sentencing Guidelines*, Federal Judicial Center Institute for the Fourth and Sixth Circuits; September 1993 in Durham, North Carolina.

Testimony before the North Carolina House Judiciary III Committee, regarding sentencing guidelines legislation; March 1993.

Panel Participant, *Judicial Departures from the Federal Sentencing Guidelines*, Federal Judicial Center Institute for the Third, Seventh, and D.C. Circuits; October 1992 in Tallahassee, Florida.

Challenges to Guideline Sentences Based on Administrative Law Concepts, ABA Second National Institute on Federal Sentencing Guidelines; September 1992 in San Francisco, California.

A Post-Webster Reminder About Delegation and Regulatory Theory, ABA Section on Urban, State, and Local Government; December 1989 in Washington, D.C.

Legal Protection for Maternal Mortality Review, American College of Obstetricians and Gynecologists, Special Interest Section on Investigation of Maternal Deaths; May 1989 in Atlanta, Georgia.

Using Computer-Based Exercises in Support of Standard Law Courses, AALS Section on Law and Computers; January 1988 in Miami, Florida.

OTHER PROFESSIONAL ACTIVITIES

Ongoing Public Service Activities:

Academy for Justice, Sandra Day O'Connor College of Law, Arizona State University; Advisory Board, Rethinking Crime and Violence Initiative – January 2023 to present; Affiliated Expert on Pretrial, Trial, and Sentencing – September 2019 to present.

Institute for Innovation in Prosecution, Advisory Board; John Jay College of Criminal Justice, City University of New York – October 2015 to present.

Criminal Law and Criminal Justice Books, <https://clcjbooks.rutgers.edu/>, Advisory Board – March 2023 to present.

Center for Progressive Reform, Scholar Member – May 2014 to present.

Chief Justice Joseph Branch Inn of Court, Master of the Bench – September 2011 to present.

Ohio State Journal of Criminal Law, Advisory Board – May 2002 to present.

Completed Public Service Activities:

Prosecutorial Performance Indicators, Research Steering Committee; MacArthur Foundation, Florida International University, and Loyola University Chicago – March 2018 to June 2020.

Judicial Legislation Committee, Kingdom of Saudi Arabia, International Expert Consultant on proposed revisions to the Penal Code; February to March 2021.

National Association of Criminal Defense Lawyers, Getting Scholarship Into Courts Project – Advisory Board Member, September 2013 to March 2016; Board Chair, April 2016 to April 2020.

North Carolina Board of Law Examiners, Criminal Law Subcommittee of the Uniform Bar Exam Committee – May to December 2017.

North Carolina Bar Association, Strategic Planning and Emerging Trends Committee – July 2016 to June 2017.

American Law Institute, Members Consultative Group for Revisions to Model Penal Code: Sentencing – December 2003 to May 2017.

North Carolina Bar Association, Delivery of Legal Services Committee – July 2015 to June 2016

Association of American Law Schools, Program Planning Committee for New Law Teacher Workshop – May 2014 to June 2015.

Vera Institute of Justice, Project on Prosecution and Racial Justice, Board Member – February 2006 to October 2014.

Families Against Mandatory Minimum Sentences, Litigation Advisory Board – September 1996 to September 2012.

North Carolina Bar Association, Administrative Law Section, Subcommittee on Collateral Consequences of Conviction – September 2010 to August 2011.

Federal Sentencing Reporter, Advisory Board – October 1991 to June 2011.

Association of American Law Schools, Program Planning Committee for Summer Workshops – 2009-2010.

Pew Charitable Trusts, Public Safety Performance Project, Research Advisory Board – January 2007 to July 2008.

The Constitution Project (Georgetown University), Sentencing Initiative – September 2004 to September 2006.

North Carolina Prisoner Legal Services, Board of Directors – October 1998 to May 2008.

City of Winston-Salem, Citizens' Police Review Board – May 1997 to April 2001, Chair 2000-2001; Mayor's Task Force on Reduction of Violence – September 1993 to August 1994.

American Bar Association, Section of Administrative Law and Regulatory Practice:

- Criminal Process Committee – Vice Chair, 1999-2002
- Council Member, 1996 to 1999
- Annual Scholarship Award Committee – Committee Chair, July 1993 to October 1995
- Committee on Government Organization and Separation of Powers – Committee Vice-Chair, June 1991 to 1995.

American Bar Association, Committee on Congressional Processes, Reporter –
September 1993 to May 1995.

North Carolina Legal Educational Assistance Foundation, Inc. – Board member,
November 1989 to October 1998; Vice President March 1991 to October 1998.
The foundation funds and operates a loan deferral and repayment program for
law school graduates accepting employment in public interest practices.

Legal Consultant, Maternal Mortality Study Group of the U.S. Centers for Disease
Control; Atlanta, Georgia – October 1988 to May 1995.

Appellate briefs filed in the following cases:

- *Barber v. Thomas*, U.S. Court of Appeals for the Ninth Circuit (2010) (consultant on petitioner's brief, issue regarding implementation of Second Chance Act)
- *Rita v. United States*, U.S. Supreme Court, No. 06-5754 (2006) (amicus brief for group of law professors and former United States Attorneys)
- *United States v. Liteky*, 248 F.3d 1180 (11th Cir. 2001) (petitioner's brief and reply brief; non-guideline sentencing for misdemeanors; with Marc Miller and Robert Weisberg)
- *United States v. DuBose*, 47 M.J. 386 (C.A.A.F. 1997) (amicus brief; standard for judging sufficiency of evidence to establish defense of lack of mental responsibility) (supervising student)
- *Neal v. United States*, 516 U.S. 284 (1996) (amicus brief; interpretation of mandatory minimum sentencing statute)
- *United States v. Kelly*, 45 M.J. 259 (C.A.A.F. 1996) (amicus brief; use of prior uncounseled convictions in subsequent sentencing in military justice system) (supervising student)
- *United States v. Gleason*, 43 M.J. 69 (C.A.A.F. 1995) (amicus brief; unlawful command influence on conviction) (supervising student)
- *United States v. 2577 Deep Creek Church Road*, No. 91-CV00230 (M.D.N.C. 1994) (amicus brief; proportionality of asset forfeiture) (supervising students)
- *United States v. Graf*, 35 M.J. 450 (C.M.A. 1992) (amicus brief; constitutionality of military judges serving without fixed terms of office) (supervising students)
- *United States v. Curtis*, 32 M.J. 252 (C.M.A. 1991) (constitutionality of capital punishment in the military) (supervising students).