

JOHN J. DONOHUE III

Yale Law School
127 Wall Street
P.O. Box 208215
New Haven, CT 06520-8215
Phone: 203 432 1994
Fax: (203) 432-1040
E-mail: j.donohue@yale.edu

Web pages:

<http://www.law.yale.edu/outside/html/faculty/jjd27/profile.htm>
<http://islandia.law.yale.edu/donohue/pubsdata.htm>

EMPLOYMENT

Yale Law School, Leighton Homer Surbeck Professor of Law, July 2004 to present.

Stanford Law School, Professor of Law, September 1995 to June 2004.

- William H. Neukom Professor of Law, February 2002 – June 2004.
- John A. Wilson Distinguished Faculty Scholar, March 1997 – January 2002.
- Academic Associate Dean for Research, since July 2001 – July 2003.
- Stanford University Fellow, September 2001 – May 2003.

Visiting Professor, Harvard Law School, January 2003.

Fellow, Center for Advanced Studies in the Behavioral Sciences,
Stanford, California, Academic year 2000-01.

Visiting Professor, Yale Law School, Fall, 1999.

Professor, Center for the Study of American Law in China, Renmin University Law School,
Beijing, July 1998.

Visiting Professor of Law and Economics, University of Virginia, January 1997.

Lecturer, Tooin University School of Law, Yokohama, Japan, May-June 1996.

Cornell Law School, Distinguished Visiting Fellow in Law and Economics, April 8-12, 1996
and September 25-29, 2000.

Northwestern University School of Law:

Class of 1967 James B. Haddad Professor of Law, September 1994-August 1995

Harry B. Reese Teaching Professor, 1994-1995

Professor of Law, May 1991-September 1994

Associate Professor, May 1989-May 1991

Assistant Professor, September 1986-May 1989.

Research Fellow, American Bar Foundation, September 1986-August 1995.

Visiting Professor, University of Chicago Law School, January 1992-June 1992.

Visiting Professor of Law and Economics, University of Virginia Law School, January 1990-May 1990.

Fellow, Yale Law School Program in Civil Liability, July 1985-August 1986.

Private Practice (part-time), New Haven, Connecticut, September 1981-August 1986.

Instructor in Economics, Yale College, September 1983-August 1985.

Summer Associate, Donovan Leisure Newton & Irvine, New York, Summer 1982.

Associate Attorney, Covington & Burling, Washington, D.C., October 1978-July 1981
(including last six months as Attorney, Neighborhood Legal Services).

Law Clerk to Chief Justice T. Emmet Clarie, U.S. District Court, Hartford, Connecticut,
September 1977-August 1978.

Summer Associate, Perkins, Coie, Stone, Olsen & Williams, Seattle, Washington,
Summer 1976.

Research Assistant, Prof. Laurence Lynn, Kennedy School of Government,
Harvard University, Summer 1975.

LSAT Tutor, Stanley Kaplan Education Center, Boston, Massachusetts; Research Assistant,
Prof. Philip Heymann, Harvard Law School; Research Assistant, Prof. Gordon Chase,
Harvard School of Public Health. (During Law School)

EDUCATION

Yale University, 1981-1986

University Fellow in Economics; M.A. 1982, M. Phil. 1984, Ph.D. 1986.

Dissertation: "A Continuous-Time Stochastic Model of Job Mobility: A Comparison of Male-Female Hazard Rates of Young Workers."

Awarded with Distinction by Yale.

Winner of the Michael E. Borus Award for best social science dissertation in the last three years making substantial use of the National Longitudinal Surveys--awarded by the Center for Human Research at Ohio State University on October 24, 1988.

National Research Service Award, National Institute of Health.

Member, Graduate Executive Committee; Graduate Affiliate, Jonathan Edwards College.

Harvard Law School, 1974-1977 (J.D.)

Graduated Cum Laude.

Activities: Law Clerk (Volunteer) for Judge John Forte, Appellate Division of the District Court of Central Middlesex; Civil Rights, Civil Liberties Law Review; Intramural Athletics; Clinical Placement (Third Year): (a) First Semester: Massachusetts Advocacy Center; (b) Second Semester: Massachusetts Attorney General's Office--Civil Rights and Consumer Protection Divisions. Drafted comments for the Massachusetts Attorney General on the proposed U.S. Department of Justice settlement of its case against Bechtel Corporation's adherence to the Arab Boycott of Israeli companies.

Hamilton College, 1970-1974 (B.A.)

Departmental Honors in both Economics and Mathematics
Phi Beta Kappa (Junior Year)

Graduated fourth in class with the following academic awards:
Brockway Prize
Edwin Huntington Memorial Mathematical Scholarship
Fayerweather Prize Scholarship
Oren Root Prize Scholarship in Mathematics

President, Root-Jessup Public Affairs Council.

PUBLICATIONS

“The Knicks Boldly Go Where Companies Have Not,” The New York Times, July 2, 2006 Sunday (with Ian Ayres).

“The Death Penalty: No Evidence of Deterrence,” The Economists’ Voice, BE Press (with Justin Wolfers) (April 2006),
[http://bpp.wharton.upenn.edu/jwolfers/Press/DeathPenalty\(BEPRESS\).pdf](http://bpp.wharton.upenn.edu/jwolfers/Press/DeathPenalty(BEPRESS).pdf).

“The Law and Economics of Antidiscrimination Law,” A. M. Polinsky and Steven Shavell, eds., Handbook of Law and Economics, forthcoming 2006,
<http://papers.nber.org/temp/25899.w11631.pdf> and <http://ssrn.com/abstract=763486>.

“The Costs of Wrongful-Discharge Laws,” Review of Economics and Statistics (with David Autor and Stewart Schwab)(forthcoming, 2006).

“Security, Democracy, and Restraint,” 1 Opening Argument 4 (February 2006).

“Uses and Abuses of Empirical Evidence in the Death Penalty Debate,” 58 Stanford Law Review 791 (2005)(with Justin Wolfers),.

“The Impact of Damage Caps on Malpractice Claims: Randomization Inference with Difference-in-Differences,” (with Daniel Ho), 2006.

“Does Terrorism Increase Crime? A Cautionary Tale,” (with Daniel Ho), 2005.

“The Evolution of Employment Discrimination Law in the 1990s: A Preliminary Empirical Evaluation” (with Peter Siegelman), in Laura Beth Nielsen and Robert L. Nelson, eds., Handbook of Employment Discrimination Research (2005).

“Employment Discrimination: Law and Theory,” Foundation Press, 2005 (with George Rutherglen).

“Fighting Crime: An Economist’s View,” 7 The Milken Institute Review 46 (2005).
-- Reprinted in Kurt Finsterbusch, ed., Social Problems (McGraw-Hill, 2006).

“Does Greater Managerial Freedom to Sacrifice Profits Lead to Higher Social Welfare?” In Bruce Hay, Robert Stavins, and Richard Vietor, eds., Environmental Protection and the Social Responsibility of Firms: Perspectives from Law, Economics, and Business (2005).

“Guns, Crime, and the Impact of State Right-to-Carry Laws,” 73 Fordham Law Review 623 (2004).

“Clinton and Bush's Report Cards on Crime Reduction: The Data Show Bush Policies Are

Undermining Clinton Gains", The Economists' Voice: Vol. 1: No. 1, Article 4. 2004,
<http://www.bepress.com/ev/vol1/iss1/art4>

"The Employment Consequences of Wrongful-Discharge Laws: Large, Small, or None at All?" American Economic Review: Papers and Proceedings May, 2004 (with David Autor and Stewart Schwab).

"Further Evidence that Legalized Abortion Lowered Crime: A Reply To Joyce," 39 Journal of Human Resources 29 (Winter 2004)(with Steven Levitt).

"The Final Bullet in the Body of the More Guns, Less Crime Hypothesis," Criminology & Public Policy (July 2003, Volume 2, Issue 3) at pp. 397-410.

"Shooting Down the 'More Guns, Less Crime' Hypothesis," 55 Stanford Law Review 1193 (2003)(with Ian Ayres).

"The Latest Misfires in Support of the 'More Guns, Less Crime' Hypothesis," 55 Stanford Law Review 1371 (2003)(with Ian Ayres).

Foundations of Employment Discrimination Law, Foundation Press, 2d edition (2003).

"Can Guns, Or Gun Violence, Be Controlled?" (Reviewing James Jacobs, Can Gun Control Work?), The American Prospect (December 16, 2002), p. 35.

"Divining the Impact of Concealed Carry Laws," in Jens Ludwig and Philip Cook, Evaluating Gun Policy: Effects on Crime and Violence (Washington D.C.: Brookings, 2003).

"The Search for Truth: In Appreciation of James J. Heckman," 27 Law and Social Inquiry 23 (2002).

"The Schooling of Southern Blacks: The Roles of Social Activism and Private Philanthropy, 1910-1960," Quarterly Journal of Economics (Feb. 2002), (with James Heckman and Petra Todd), pp. 225 – 268.

"The Impact of Race on Policing and Arrests," Journal of Law and Economics, vol. XLIV (October 2001)(with Steven Levitt), pp. 367 – 394.

"The Impact of Legalized Abortion on Crime," Quarterly Journal of Economics (Vol. CXVI, Issue 2, May 2001)(with Steven Levitt) pp. 379-420.

"Understanding the Reasons for and Impact of Legislatively Mandated Benefits for Selected Workers," 53 Stanford Law Review 897 (2001).

- Reprinted in Michael Zimmer, Charles Sullivan et al, Cases and Materials on Employment Discrimination (6th edition)(2003).

“Nondiscretionary Concealed Weapons Law: A Case Study of Statistics, Standards of Proof, and Public Policy,” 1 American Law and Economics Review 436 (1999)(with Ian Ayres).

“Why We Should Discount the Views of Those Who Discount Discounting,” 108 Yale Law Journal 1901 (1999).

“Understanding The Time Path of Crime,” 88 Journal of Criminal Law and Criminology 1423 (1998).

“Discrimination in Employment,” The New Palgrave Dictionary of Law and Economics (1998).

- Excerpted in Lynne Dallas, Law and Public Policy: A Socio-Economic Approach (2003).

“The Legal Response to Discrimination: Does Law Matter?” in Bryant Garth, Austin Sarat, eds., How Does Law Matter? Pp. 45 – 75 (Northwestern University Press, 1998).

“Some Thoughts on Law and Economics and the Theory of the Second Best,” 73 Chicago-Kent Law Review 257 (1998).

“Allocating Resources Among Prisons and Social Programs In the Battle Against Crime,” 27 Journal of Legal Studies 1 (1998) (with Peter Siegelman).

-- Excerpted in Sanford Kadish & Stephen Schulhofer, Criminal Law and Its Processes (8th ed. 2007),

“Guns, Violence, and the Efficiency of Illegal Markets,” 88 American Economic Review 463 (May 1998)(with Steve Levitt).

“Did *Miranda* Diminish Police Effectiveness?” 50 Stanford Law Review 1147 (1998).

“Some Thoughts on Affirmative Action,” 75 Washington University Law Quarterly 1590 (1997).

“Executive Compensation,” 3 Stanford Journal of Law, Business & Finance 1 (1997).

“Some Perspective on Crime and Criminal Justice Policy,” Lawrence Friedman and George Fisher, eds., The Crime Conundrum: Essays on Criminal Justice 45 (1997).

Foundations of Employment Discrimination Law, Oxford University Press (1997).

“The Selection of Employment Discrimination Disputes for Litigation: Using Business

Cycle Effects to Test the Priest/Klein Hypothesis," 24 Journal of Legal Studies 427 (1995) (with Peter Siegelman).

"Employment Discrimination Law in Perspective: Three Concepts of Equality," 92 Michigan Law Review 2583 (1994).

- Reprinted in Frank Ravitch, Janis McDonald, and Pamela Summers, Employment Discrimination Law (2004).

"The Effects of Joint and Several Liability on Settlement Rates: Mathematical Symmetries and Meta-Issues in the Analysis of Rational Litigant Behavior," 23 Journal of Legal Studies 543 (1994).

"Liberal Law and Economics," (reviewing Rethinking the Progressive Agenda by Susan Rose-Ackerman), 13 Journal of Policy Analysis and Management 192 (1994).

Review of Richard Epstein's Forbidden Grounds: The Case Against Employment Discrimination Laws, 31 Journal of Economic Literature 1477 (1994).

"Law and Macroeconomics: Employment Discrimination Over the Business Cycle," 66 University of S. Calif. L. Rev. 709 (1993) (with Peter Siegelman).

"Advocacy Versus Analysis In Assessing Employment Discrimination Law," 44 Stanford Law Review 1583 (1992).

- Reprinted in Christopher McCrudden, Anti-Discrimination Law (2003).

"The Changing Nature of Employment Discrimination Litigation," 43 Stanford Law Review 983 (1991) (with Peter Siegelman).

"The Effects of Fee Shifting on the Settlement Rate: Theoretical Observations on Costs, Conflicts, and Contingency Fees," 54 Law and Contemporary Problems 195 (1991).

"Re-Evaluating Federal Civil Rights Policy," 79 Georgetown Law Journal 1713 (1991) (with James Heckman).

"Opting for the British Rule; Or, If Posner and Shavell Can't Remember the Coase Theorem, Who Will?" 104 Harvard Law Review 1093 (1991).

- Reprinted in Saul Levmore, Foundations of Tort Law 160 (1994).

"Continuous versus Episodic Change: The Impact of Civil Rights Policy on the Economic Status of Blacks," 29 Journal of Economic Literature 1603 (December 1991) (with James Heckman).

- Reprinted in Paul Burstein, ed., Equal Employment Opportunity, Aldine De Gruyter, New York (1994).

"The Impact of Federal Civil Rights Policy on the Economic Status of Blacks," 14 Harvard Journal of Law and Public Policy 41 (1991).

"Studying the Iceberg From Its Tip: A Comparison of Published and Unpublished Employment Discrimination Cases," 24 Law and Society Review 1133 (1990) (with Peter Siegelman).

"Prohibiting Sex Discrimination in the Workplace: An Economic Perspective," 56 University of Chicago Law Review 1337 (1989).

"The Law & Economics of Tort Law: The Profound Revolution," 102 Harvard Law Review 1047 (1989).

"Using Market Incentives to Promote Auto Occupant Safety," 7 Yale Law and Policy Review 449 (1989).

"Diverting the Coasean River: Incentive Schemes to Reduce Unemployment Spells," 99 Yale Law Journal 549 (1989).

--Winner of the 1989 Scholarly Paper Competition,
Association of American Law Schools.

"Reply to Professors Ellickson and Stigler," 99 Yale Law Journal 635 (1989).

"Law and Economics: The Road Not Taken," 22 Law and Society Review 903 (1988).

"Further Thoughts on Employment Discrimination Legislation: A Reply to Judge Posner," 136 U. Pa. L. Rev. 523 (1987).

"Judge Bork, Anti-Trust Law, and the Bending of 'Original Intent'," Chicago Tribune, sec.1, pg. 15, July 22, 1987.

"Posner's Third Symphony: Thinking about the Unthinkable," 39 Stanford Law Review 791 (1987)(with Ian Ayres).

"Determinants of Job Turnover of Young Men and Women in the U.S.--A Hazard Rate Analysis," in Schultz, T.P., ed., Research in Population Economics, vol.6, Greenwich, Conn.: JAI Press (1987).

"A Comparison of Male-Female Hazard Rates of Young Workers, 1968-1971," Working Paper #48, Center for Studies in Law, Economics and Public Policy; Yale Law School (1986).

"Hazard Rates of Young Male and Female Workers--Recent Developments," Working Paper #51, Center for Studies in Law, Economics and Public Policy; Yale Law School (1986).

"Is Title VII Efficient?" 134 U. Pa. L. Rev. 1411 (1986).

- Reprinted in Paul Burstein, ed., Equal Employment Opportunity, Aldine De Gruyter, New York (1994).

"Section I Cases," Sherman's Summations, Vol.3, No.2, Sherman Act Committee of the A.B.A. Antitrust Section, Fall, 1982, at 49.

"An Evaluation of the Constitutionality of S. 114, The Proposed Federal Death Penalty Statute," Hearings before the U.S. Senate Judiciary Committee, April 27, 1981, at 151.

"Godfrey v. Georgia: Creative Federalism, the Eighth Amendment, and the Evolving Law of Death," 30 Catholic University Law Review 13 (1980).

"Criminal Code Revision--Contempt of Court and Related Offenses," Hearings before the Subcommittee on Criminal Justice of the House Judiciary Committee, July 18, 1979, at 1087.

WORKSHOPS AND ADDRESSES

"Why Are Auto Fatalities Dropping so Sharply?" **Faculty Workshop, Wharton**, Philadelphia, PA, April 19, 2006.

"The Law of Racial Profiling," Law and Economic Perspectives on Profiling Workshop, **Northwestern University Department of Economics**, April 7, 2006.

"Landmines and Goldmines: Why It's Hard to Find Truth and Easy To Peddle Falsehood in Empirical Evaluation of Law and Policy," **Rosenthal Lectures, Northwestern University School of Law**, April 4-6, 2006.

"The Impact of Legalized Abortion on Crime," **American Enterprise Institute**, March 28, 2006.

"The Impact of Damage Caps on Malpractice Claims: Randomization Inference with Difference-in-Differences," **Conference on Medical Malpractice, The Rand Corporation**, March 11, 2006.

"Powerful Evidence the Death Penalty Deters?" **Leighton Homer Surbeck Chair Lecture, Yale Law School**, March 7, 2006.

“Uses and Abuses of Empirical Evidence in the Death Penalty Debate,” Faculty Workshop, **University of Connecticut Law School**, October 18, 2005; Faculty Workshop, **UCLA Law School**, February 3, 2006; Law and Economics Workshop, **Stanford Law School**, February 16, 2006; ; Law Faculty, **University of Cambridge, Cambridge, England**, February 28, 2006; **University of Illinois College of Law**, Law and Economics Workshop, March 2, 2006; Faculty Workshop, **Florida State University Law School**, March 30, 2006; **ALEA**, Berkeley, CA May 6, 2006; **University of Chicago Law School**, Law and Economics Workshop, May 9, 2006.

“Is Gun Control Illiberal?” Federalist Society Debate with Dan Kahan at Yale Law School, January 31, 2006.

“Witness to Deception: An Insider’s Look at the Disney Trial,” **2005-2006 Distinguished Lecture, Boston University School of Law**, November 10, 2005; Center for the Study of Corporate Law, **Yale Law School**, November 3, 2005; **Law Offices of Herbert Smith, London, England**, February 23, 2006; Law Faculty, **University of Cambridge, Cambridge, England**, February 27, 2006.

“Understanding the Surprising Fall in Crime in the 1990s,” **Rotary Club**, Orange, CT, August 5, 2005; Faculty Workshop, **Yale School of Management**, September 21, 2005.

Panel Member, “The Board's Role in Corporate Strategy,” The Yale Global Governance Forum, **Yale School of Management**, September 8, 2005.

“Crime and Abortion,” **Museo de la Ciudad de Mexico**, Mexico City, October 20, 2003.

“Allocating Resources towards Social Problems and Away From Incarceration as a Means of Reducing Crime,” **MacArthur Foundation Research Network on Adolescent Development and Juvenile Justice**, San Francisco, CA, February 28, 2003.

“Shooting Down the More Guns, Less Crime Hypothesis,” **Stanford Law School**, Law and Economics Seminar, January 28, 2003; Faculty Workshop, Center for the Study of Law and Society, **Boalt Hall**, University of California, Berkeley, Feb. 24, 2003; Development Workshop, **Stanford Law School**, April 25, 2003; Faculty Workshop, **Stanford Law School**, July 2, 2003; Law and Public Affairs Program Workshop, **Princeton University**, September 29, 2003; Stanford Alumni Weekend, **Stanford University**, October 17, 2003; Faculty Workshop, **CIDE**, Mexico City, October 20, 2003.

“The Impact of Legalized Abortion on Teen Childbearing,” **NBER Labor Summer Institute**, Cambridge, MA, July 30, 2002.

“Do Concealed Handgun Laws Reduce Crime?” Faculty Workshop, **Stanford Law School**, October 4, 2000; First-Year Orientation, **Stanford Law School**, September 5, 2001; Faculty Workshop, **Harvard Law School**, April 26, 2002; Faculty Workshop, **Columbia Law**

School, April 29, 2002.

“The Evolution of Employment Discrimination Law in the 1990s: An Empirical Investigation,” Fellows Workshop, American Bar Foundation, February 11, 2002.

“The Role of Discounting in Evaluating Social Programs Impacting on Future Generations: Comment on Arrow and Revesz,” Colloquium on Distributive Justice, **Stanford Law School**, Oct. 18, 2001.

“The Impact of Wrongful Discharge Laws,” **NBER Labor Summer Institute**, Cambridge, MA, July 30, 2001; Labor and Employment Seminar, **NYU Law School**, October 16, 2001; Faculty Workshop, **Stanford Law School**, September 18, 2002; **Yale Law School**, January, 2004.

“Racial Profiling: Defining the Problem, Understanding the Cause, Finding the Solution,” **American Society of Criminology Conference**, San Francisco, CA, November 15, 2000.

"Institutional Architecture for Building Private Markets," Conference on "Latin America and The New Economy" at **Diego Portales University** in Santiago, Chile, October 26, 2000.

“The History and Current Status of Employment Discrimination Law in the United States,” Unicapital School of Law, (Centro Universitario Capital), Sao Paulo, Brazil, March 10, 2000.

“Corporate Governance in Developing Countries: Opportunities and Dangers,” Conference on Neoliberal Policies for Development: Analysis and Criticism,” University of Sao Paulo Law School, March 13, 2000

“Legalized Abortion and Crime,” Law and Economics Workshop, **University of Pennsylvania Law School**, September 21, 1999; Faculty Workshop, **Yale Law School**, September 27, 1999; **John Jay College of Criminal Justice**, October 7, 1999; Faculty Workshop, **Quinnipiac Law School**, October 13, 1999; Faculty Workshop, **University of Connecticut Law School**, October 19, 1999; **University of Virginia Law School**, October 25, 1999; Faculty Workshop, **Baruch College**, November 9, 1999; MacArthur Foundation Social Interactions and Economic Inequality Network Meeting, **Brookings Institution**, December 4, 1999; Faculty Workshop, **NYU Law School**, January 21, 2000; Faculty Workshop, **University of San Diego Law School**, February 18, 2000; Public Economics Workshop, Department of Economics, **Stanford University**, April 28, 2000; Law and Economics Workshop, **University of California at Berkeley Law School**, September 18, 2000; Faculty Workshop, **Cornell Law School**, September 26, 2000; OB-GYN Grand Rounds, **Stanford Medical School**, October 2, 2000; **Center for Advanced Studies in the Behavioral Sciences**, October 11, 2000; Faculty Workshop, **Graduate School of Business**, February 5, 2002.

Panel member, Session on Executive Compensation, Director's College, **Stanford Law**

School, March 23, 1999.

“Exploring the Link Between Legalization of Abortion in the 1970s and Falling Crime in the 1990s,” Law and Economics Workshop, **Harvard Law School**, March 16, 1999; Law and Economics Workshop, **University of Chicago Law School**, April 27, 1999; Faculty Workshop, **Stanford Law School**, June 30, 1999.

“Is the Increasing Reliance on Incarceration a Cost-Effective Strategy of Fighting Crime?” Faculty Workshop, **University of Wisconsin School of Social Science**, February 19, 1999.

“What Do We Know About Options Compensation?” Institutional Investors Forum, **Stanford Law School**, May 29, 1998.

Commentator on Orlando Patterson’s presentation on “The Ordeal of Integration,” **Stanford Economics Department**, May 20, 1998.

“Understanding The Time Path of Crime,” Presentation at Conference on Why is Crime Decreasing? **Northwestern University School of Law**, March 28, 1998; Faculty Workshop, **Stanford Law School**, September 16, 1998; Faculty Workshop, **University of Michigan Law School**, February 18, 1999.

Commentator, Conference on Public and Private Penalties, the **University of Chicago Law School**, Dec. 13-14, 1997.

“Some Thoughts on Affirmative Action,” Presentation at a conference on Rethinking Equality in the Global Society, **Washington University School of Law**, November 10, 1997.

Commentator on Chris Jencks’ Presentation on Welfare Policy, **Stanford Economics Department**, October 8, 1997.

“The Impact of Race on Policing, Arrest Patterns, and Crime,” Faculty Workshop, **Stanford Law School**, September 10, 1997; Law and Economics Workshop, **University of Southern California Law School**, October 23, 1997; Law and Economics Workshop, **Columbia University Law School**, November 24, 1997; Law and Economics Workshop, Haas School of Business, **University of California at Berkeley**, February 19, 1998; Annual Meeting of the American Law and Economics Association, **University of California at Berkeley**, May 8, 1998; Conference on the Economics of Law Enforcement, **Harvard Law School**, October 17, 1998.

“Crime in America: Understanding Trends, Evaluating Policy,” **Stanford Sierra Camp**, August 1997.

“Executive Compensation: What Do We Know?” TIAA-CREF Committees on Corporate

Governance and Social Responsibility, Center for Economic Policy Research, **Stanford University**, June 27, 1997; NASDAQ Director's Day, **Stanford University**, June 30, 1997.

Panel Chair, Criminal Law (Theory), Criminal Law (Empirical), and Labor/Discrimination/Family Law, American Law and Economics Association, **University of Toronto Law School**, May 9-10, 1997.

Commentator, "Diversity in Law School Hiring," **Stanford Law School**, February 25, 1997.

Keynote Speaker, "The Optimal Rate of Crime," 11th Annual Conference, **The Oklahoma Academy for State Goals**, Tulsa, Oklahoma, May 7, 1996.

Panel member, Session on Executive Compensation, Director's College, **Stanford Law School**, March 28-29, 1996.

"The Power of Law: Can Law Make a Difference in Improving the Position of Women and Minorities in the Labor Market?" The Fellows of the **American Bar Foundation**, Baltimore, Maryland, February 3, 1996.

"Public Action, Private Choice and Philanthropy: Understanding the Sources of Improvement in Black Schooling Quality in Georgia, 1911-1960," **Stanford Faculty Workshop**, January 24, 1996; Faculty Workshop, **University of Virginia Law School**, January 22, 1997; **National Bureau of Economic Research**, Cambridge, Massachusetts, Labor Studies Conference, April 3, 1998.

Commentator, "The Effect of Increased Incarceration on Crime," Meetings of the **American Economics Association**, San Francisco, January 6, 1996.

Commentator, Symposium on Labor Law, **University of Texas Law School**, November 10-11, 1995.

Panel Member, Symposium on Criminal Justice, **Stanford Law School**, October 6-7, 1995.

Commentator, "The Litigious Plaintiff Hypothesis," Industrial and Labor Relations Conference, **Cornell University**, May 19, 1995.

Commentator on Keith Hylton's, "Fee Shifting and Predictability of Law," Faculty Workshop, **Northwestern University School of Law**, February 27, 1995.

"The Selection of Employment Discrimination Disputes for Litigation: Using Business Cycle Effects to Test the Priest/Klein Hypothesis," **Stanford University**, Law and Economics Seminars, October 31, 1994.

"Is the United States at the Optimal Rate of Crime?" Faculty Workshop, **Indiana University School of Law**, Indianapolis, November 18, 1993; Faculty Workshop, **Northwestern University School of Law**, April 18, 1994; Law and Economics Workshop, **Stanford Law School**, April 28, 1994; Meetings of the American Law and Economics Association, **Stanford Law School**, May 13, 1994; **American Bar Foundation**, September 7, 1994; Faculty Workshop, **DePaul Law School**, September 21, 1994; Law and Economics Workshop, **University of Chicago Law School**, October 11, 1994; Faculty Seminar, **Stanford Law School**, October 31, 1994; Law and Economics Luncheon, **Stanford Law School**, November 1, 1994; Faculty Seminar Workshop, **University of Illinois College of Law**, Champaign, November 22, 1994; Law and Economics Workshop, **Harvard Law School**, November 29, 1994; School Alumni Luncheon, Chicago Club, December 13, 1994; **Northwestern Law School**; Law and Economics Workshop, **Yale Law School**, February 1, 1996; Faculty Workshop, **Cornell Law School**, April 10, 1996; Faculty Workshop, **Tokyo University Law School**, June 4, 1996; Panel on "The Economics of Crime," **Western Economics Association Meeting**, San Francisco, July 1, 1996.

"The Broad Path of Law and Economics," Chair Ceremony, **Northwestern University School of Law**, September 30, 1994.

Commentator on Paul Robinson's "A Failure of Moral Conviction," **Northwestern University School of Law**, September 20, 1994.

"The Do's of Diversity, The Don'ts of Discrimination," Kellogg School of Business, **Northwestern University**, May 17, 1994.

"Does Law Matter in the Realm of Discrimination?" **Law and Society Summer Institute**, Pala Mesa Lodge, Fallbrook, California, June 25, 1993.

Commentator, "The Double Minority: Race and Sex Interactions in the Job Market," Society for the Advancement of Socio-Economics, **New School for Social Research**, March 28, 1993.

"The Effects of Joint and Several Liability on Settlement Rates: Mathematical Symmetries and Meta-Issues in the Analysis of Rational Litigant Behavior," Economic Analysis of Civil Procedure, **University of Virginia School of Law**, March 26, 1993.

Debate with Richard Epstein on Employment Discrimination Law, **Chicago Federalist Society**, February 23, 1993.

Panel Chair, "Optimal Sanctions and Legal Rules in Tort and Criminal Law," Meetings of Annual Association of Law and Economics, **Yale Law School**, May 15, 1992.

Panel Member, "The Law and Economics of Employment at Will," **The Institute For**

Humane Studies, Fairfax, Virginia, March 27, 1992.

"The Efficacy of Title VII," Debate with Professor Richard Epstein, **University of Chicago Law School**, February 26, 1992.

Moderator, "Using Testers to Demonstrate Racial Discrimination," **University of Chicago Law School**, February 13, 1992.

"Law & Macroeconomics: The Effect of the Business Cycle on Employment Discrimination Litigation," Law and Society Workshop, **Indiana University**, November 6, 1991; Faculty Workshop, **University of North Carolina Law School**, Chapel Hill, November 8, 1991; Faculty Workshop, **Northwestern University School of Law**, December 11, 1991; Law and Economics Conference, **Duquesne Law School**, March 14, 1992; **University of Chicago Law School**, April 2, 1992.

Panel Chair and Commentator, "New Perspectives on Law and Economics," **Society for the Advancement of Socioeconomics**, Stockholm, June 17, 1991; **Law and Society Meetings**, Amsterdam, June 29, 1991.

Panel Chair, "Regulation of International Capital Markets," **Law and Society Meetings**, Amsterdam, June 27, 1991.

Panel Chair, "The Law and Economics of Discrimination," American Association of Law and Economics, **University of Illinois Law School**, May 24, 1991.

"The Economics of Employment Discrimination Law," **Industrial Relations Research Association**, Chicago, Illinois, March 4, 1991.

"Does Current Employment Discrimination Law Help or Hinder Minority Economic Empowerment?" Debate with Professor Richard Epstein, The Federalist Society, **Northwestern Law School**, February 26, 1991.

Panel Member, "The Law and Economics of Employment Discrimination," **AALS Annual Meeting**, Washington, D.C., January 6, 1991.

"Re-Evaluating Federal Civil Rights Policy," Conference on the Law and Economics of Racial Discrimination in Employment, **Georgetown University Law Center**, November 30, 1990.

"Opting for the British Rule," Faculty Seminar, **Northwestern Law School**, September 11, 1990; Faculty Seminar, **University of Virginia Law School**, September 14, 1990; Law and Economics Seminar, **University of Michigan Law School**, October 18, 1990; Faculty Workshop, **NYU Law School**, November 14, 1990; Faculty Workshop, **University of**

Florida Law School, March 18, 1991.

"The Effects of Fee Shifting on the Settlement Rate: Theoretical Observations on Costs, Conflicts, and Contingency Fees," at the **Yale Law School Conference "Modern Civil Procedure: Issues in Controversy,"** June 16, 1990.

"Studying the Iceberg From Its Tip?: An Analysis of the Differences Between Published and Unpublished Employment Discrimination Cases," **Law and Society Meetings**, Berkeley, California, May 31, 1990.

Panel Discussion on Tort Reform, **University of Pennsylvania Law School**, April 27, 1990.

Panel Discussion of "The Role of Government in Closing the Socio-Economic Gap for Minorities," at the Federalist Society National Symposium on "The Future of Civil Rights Law," **Stanford Law School**, March 16, 1990.

"Continuous versus Episodic Change: The Impact of Affirmative Action and Civil Rights Policy on the Economic Status of Blacks," **University of Virginia Economics Department**, February 15, 1990; **Princeton University Department of Economics**, February 21, 1990 (with James Heckman); Law & Economics Workshop, **University of Toronto Law School**, October 8, 1991.

"Sex Discrimination in the Workplace: An Economic Perspective," Fellows Seminar, **American Bar Foundation**, October 16, 1989.

"The Changing Nature of Employment Discrimination Litigation," Law and Economics Workshop, **Columbia Law School**, March 23, 1989; Faculty Seminar, **University of Virginia Law School**, March 24, 1989; Law and Economics Workshop, **University of Chicago**, April 25, 1989; **Law & Society Meeting**; Madison, Wisconsin, June 8, 1989; Labor Economics Workshop, **University of Illinois**, Chicago, November 1, 1989; Law & Economics Workshop, **University of Pennsylvania Law School**, November 9, 1989; Law and Economics Seminar, **University of California at Berkeley**, October 4, 1990; Law and Social Science Workshop, **Northwestern University**, February 3, 1991; Law and Economics Seminar, **Stanford Law School**, March 21, 1991; Faculty Workshop, **Cornell Law School**, April 3, 1991; Visiting Committee, **Northwestern Law School**, April 5, 1991.

"Law & Economics: The Third Phase," The Association of General Counsel, **Northwestern University School of Law**, October 14, 1988.

"Employment Discrimination Litigation," **Northwestern Law School** Alumni Monthly Loop Luncheon. **Chicago Bar Association**, May 31, 1988.

"The Morality of the Death Penalty." A debate with Ernest Van Den Haag. **Northwestern**

University School of Law, April 19, 1988.

"Models of Deregulation of International Capital Markets." A presentation with David Van Zandt, Faculty Seminar, **Northwestern University School of Law**, April 1, 1988; Visiting Committee, May 5, 1988.

"Is Title VII Efficient?" A debate with Judge Richard Posner, Faculty Seminar, **Northwestern University School of Law**, November 20, 1987.

"The Senate's Role in Confirming Supreme Court Nominees: The Historical Record," **Northwestern University School of Law**, September 22, 1987.

"Diverting the Coasean River: Incentive Schemes to Reduce Unemployment Spells," **Yale Law School** Civil Liability Workshop, March 30, 1987; Faculty Seminar, **Northwestern University School of Law**, March 18, 1987; **University of Southern California Law Center**, May 1, 1987; and Seminar in Law and Politics, Department of Political Science, **Northwestern University**, May 8, 1987; Labor Workshop, Department of Economics, **Northwestern University**, October 27, 1987; **AALS Annual Meeting**, New Orleans, January 7, 1989.

"Women in the Labor Market--Are Things Getting Better or Worse?" **Hamilton College**, February 23, 1987.

"The Changing Relative Quit Rates of Young Male and Female Workers," **Hamilton-Colgate Joint Faculty Economics Seminar**, February 23, 1987.

"Living on Borrowed Money and Time--U.S. Fiscal Policy and the Prospect of Explosive Public Debt," **Orange Rotary Club**, February 22, 1985.

"Capital Punishment in the Eighties," **Hamilton College**, April 6, 1981.

"Terms and Conditions of Sale Under the Uniform Commercial Code," Executive Sales Conference, **National Machine Tool Builders' Association**, May 12, 1980.

PROFESSIONAL ACTIVITIES

Co-Editor (with Steven Shavell), American Law and Economics Review, May 2006 – present.

Board of Advisors, Yale Law School Center for the Study of Corporate Law, July 2004 – present.

Member, Panel on Methods for Assessing Discrimination, National Academy of Sciences, September 2001 – June 2004. Resulting Publication: National Research Council, Measuring Racial Discrimination (2004), <http://www.nap.edu/catalog/10887.html>

Member, National Science Foundation Review Panel, Law and Social Sciences, September, 1999 – April 2001.

Editorial Board, Journal of Empirical Legal Studies, July 2003 – present.

Editorial Board, International Review of Law and Economics, October 1999 – present.

Editorial Board, Law and Social Inquiry, February 2000 – present.

Board of Editors, American Law and Economics Review, August 1998 – present.

Consultant, Planning Meeting on Measuring the Crime Control Effectiveness of Criminal Justice Sanctions, National Academy of Sciences, Washington, D.C., June 11, 1998

Member, Board of Directors, American Law and Economics Association, June 1994-May 1997. Member, ALEA Nominating Committee, July 1995-May 1996. Member, Program Committee, July 1996-May 1998 and July 2000 – May 2002.

Statistical Consultant, 7th Circuit Court of Appeals Settlement Conference Project (December, 1994).

Testified before U.S. Senate Labor Committee on evaluating the Job Corps, October 4, 1994.

Assisted the American Bar Association Standing Committee on the Federal Judiciary in evaluating the qualifications of Ruth Bader Ginsburg (June 1993) and David Souter (June, 1990).

Chair, AALS Section on Law and Economics, January 1990-January 1991.

Economic Consultant to Federal Courts Study Committee. Analyzing the role of the federal courts and projected caseload for Judge Richard Posner's subcommittee. February 1989-March 1990.

Member, 1990 AALS Scholarly Papers Committee.

Member, Advisory Board, Corporate Counsel Center, Northwestern University School of Law. Since December 1987.

Associate Editor, Law and Social Inquiry. Summer 1987-December 1989.

Interviewed Administrative Law Judge candidates for U.S. Office of Personnel Management. Chicago, Illinois. May 23, 1988.

Member, Congressman Bruce Morrison's Military Academy Selection Committee. Fall 1983.

1982 Candidate for Democratic Nomination, Connecticut State Senate, 14th District (Milford, Orange, West Haven).

PRO BONO LEGAL WORK

Death Penalty case: Heath v. Alabama. Fall 1986-Fall 1989.

Wrote brief opposing death sentence in Navy spy case. Court ruled in favor of defendant on September 13, 1985.

Staff Attorney, Neighborhood Legal Services, January-July 1981.

Appealed sentence of death for Georgia defendant to the United States Supreme Court. Sentence vacated on May 27, 1980. Baker v. Georgia.

Court-appointed representation of indigent criminal defendant in District of Columbia Superior Court, February-July 1980.

RESEARCH GRANTS

Stanford University Research Fund, January 1997 and January 1998.

The National Science Foundation (project with James Heckman), December 1992; (project with Steve Levitt), July 1997.

Fund for Labor Relations Studies, University of Michigan Law School, March 1988.

BAR ADMISSIONS

Connecticut - October 1977; District of Columbia - March 1978 (Currently Inactive Status); United States Supreme Court - November 1980.

PROFESSIONAL ASSOCIATIONS

American Bar Association
American Economic Association
American Law and Economics Association
Research Associate, National Bureau of Economic Research (since October 1996) – in Law
and Economics and Labor Studies.

PERSONAL

Born: January 30, 1953.

October 10, 2006