

October 2020

CURRICULUM VITAE

James R. Acker

Personal Information

Office Address: School of Criminal Justice
Draper Hall 221B
University at Albany
135 Western Avenue
Albany, New York 12222

Office Phone: (518) 442-5317

Office Fax: (518) 442-5212

E-mail: jacker@albany.edu

Education and Honors

Ph.D. 1987 State University of New York at Albany (Criminal Justice)

1982 Eliot H. Lumbard Award for Academic Excellence,
School of Criminal Justice,
State University of New York at Albany

M.A. 1981 State University of New York at Albany (Criminal Justice)

J.D. 1976 Duke University School of Law
Order of the Coif
Graduation with Honors
Editorial Board, *Duke Law Journal*

B.A. 1972 Indiana University (Psychology and Sociology)
Highest Distinction
Phi Beta Kappa
Phi Eta Sigma

Employment

2020-- Emeritus Distinguished Teaching Professor, School of Criminal
Justice, State University of New York at Albany

2004-2020 Distinguished Teaching Professor, School of Criminal Justice,

State University of New York at Albany

1999-2004	Professor, School of Criminal Justice, State University of New York at Albany
2000-2002	Interim Dean, School of Criminal Justice, State University of New York at Albany
1994-1999	Associate Professor, School of Criminal Justice, State University of New York at Albany
1991-1995; 2004- 2006	Associate Dean, School of Criminal Justice, State University of New York at Albany
1988-1994	Assistant Professor, School of Criminal Justice, State University of New York at Albany
1983-1988	Lecturer, School of Criminal Justice, State University of New York at Albany
1976-1980	Loflin, Loflin & Acker Attorneys at Law Durham, North Carolina

Areas of Teaching Interest and Teaching Experience

Criminal Procedure
 Substantive Criminal Law
 Constitutional Law
 The Legal Rights of Children
 Law and Social Science
 Capital Punishment
 Wrongful Convictions/Miscarriages of Justice

Publications

Books

Wrongful Conviction: Law, Science, and Policy (James R. Acker & Allison D. Redlich).
 Durham, NC: Carolina Academic Press (2d ed. 2019; 1st ed. 2011)

Living on Death Row: The Psychology of Waiting to Die (Hans Toch, James R. Acker & Vincent Martin Bonventre, eds.). Washington, DC: American Psychological Association (2018). [Recipient of 2019 Association of American Publishers

- Award for Professional and Scholarly Excellence (PROSE Award) in Social Sciences: Psychology]
- When Justice Fails: Causes and Consequences of Wrongful Convictions* (Robert J. Norris, Catherine L. Bonventre & James R. Acker). Durham, NC: Carolina Academic Press (2018).
- Lawlemmas: Cases and Materials*. Durham, NC: Carolina Academic Press (2018).
- Lawlemmas: In Search of Principled Choices in Law, Justice, and Life*. Durham, NC: Carolina Academic Press (2016)
- Criminal Law* (David C. Brody & James R. Acker). Sudbury, MA: Jones & Bartlett Publishers (3d ed. 2015) (1st ed.: David C. Brody, James R. Acker & Wayne A. Logan). Gaithersburg, MD: Aspen Publishers, Inc. (2001)
- Questioning Capital Punishment: Law, Policy, and Practice*. New York: Routledge (2014)
- Examining Wrongful Convictions: Stepping Back, Moving Forward* (Allison D. Redlich, James R. Acker, Robert J. Norris & Catherine L. Bonventre, eds.). Durham, NC: Carolina Academic Press (2014)
- America's Experiment With Capital Punishment: Reflections on the Past, Present, and Future of the Ultimate Penal Sanction* (James R. Acker, Robert M. Bohm & Charles S. Lanier, eds.). Durham, NC: Carolina Academic Press (3d ed. 2014; 1st ed. 1998)
- Introduction to Law and Criminal Justice* (with JoAnne Malatesta). Sudbury, MA: Jones & Bartlett Learning (2014)
- Criminal Procedure: A Contemporary Perspective* (with David C. Brody). Sudbury, MA: Jones & Bartlett Publishers (3d ed. 2012) (1st ed., Gaithersburg, MD: Aspen Publishers, Inc. 1999)
- The Future of America's Death Penalty: An Agenda for the Next Generation of Capital Punishment Research* (Charles S. Lanier, William J. Bowers & James R. Acker, eds.). Carolina Academic Press: Durham, NC (2009)
- Scottsboro and Its Legacy: The Cases That Challenged American Legal and Social Justice*. Westport, CT: Praeger Press (2008)
- Wounds That Do Not Bind: Victim-Based Perspectives on the Death Penalty* (James R. Acker & David R. Karp, eds.). Durham, NC: Carolina Academic Press (2006)

Two Voices on the Legal Rights of America's Youth (with Elizabeth B. Acker). Belmont, CA: Wadsworth/Thomson Learning (2004)

Basic Legal Research for Criminal Justice and the Social Sciences (with Richard D. Irving). Gaithersburg, MD: Aspen Publishers, Inc. (1998)

Articles and Book Chapters

“Adrift in the Interstices of Law and Justice: Divining Right and Wrong in the Sad, Strange Case of *People v. Schmidt*,” 83 *Albany Law Review* 697-748 (2019/2020)

“Thirty Years of Innocence: Wrongful Convictions and Exonerations in the United States, 1989-2018” (Robert J. Norris, James R. Acker, Catherine L. Bonventre & Allison D. Redlich), 1 *Wrongful Conviction Law Review* 2-58 (2020), <http://wclawr.org/index.php/wclr/article/view/11/23>

“I Did It, But . . . I Didn't”: When Rejected Affirmative Defenses Produce Wrongful Convictions,” (James R. Acker & Sishi Wu), 98 *Nebraska Law Review* 578-642 (2020)

“The Criminal Costs of Wrongful Convictions: Can We Reduce Crime by Protecting the Innocent?,” (Robert J. Norris, Jennifer Weintraub, James R. Acker, Allison D. Redlich & Catherine L. Bonventre), 19 *Criminology & Public Policy* 367-388 (2020), available at <https://doi.org/10.1111/1745-9133.12463>

“Reliable Justice: Advancing the Twofold Aim of Establishing Guilt and Protecting the Innocent,” 82 *Albany Law Review* 719-773 (2018/2019)

“American Capital Punishment Over Changing Times: Policies and Practices,” in *Handbook on Crime and Deviance* 395-417 (Marvin D. Krohn, Nicole Hendrix, Gina Penly Hall & Alan J. Lizotte, eds.). Springer: New York (2d ed. 2019)

“Preventing Wrongful Convictions: An Analysis of State Investigation Reforms,” (Robert J. Norris, Catherine L. Bonventre, Allison D. Redlich, James R. Acker & Carmen Lowe), 30 *Criminal Justice Policy Review* 597-626 (2019). DOI: 10.1177/0887403416687359

“Introduction,” (Hans Toch, James R. Acker & Vincent Martin Bonventre), in *Living on Death Row: The Psychology of Waiting to Die* 3-20 (Hans Toch, James R. Acker & Vincent Martin Bonventre, eds.). Washington, DC: American Psychological Association (2018).

“Snake Oil With a Bite: The Lethal Veneer of Science and Texas's Death Penalty,” 81 *Albany Law Review* 751-805 (2017/2018)

- “The Execution of Wallace Wilkerson: Precedent and Portent,” (James R. Acker & Ryan Champagne), 42 *Criminal Justice Review* 349-367 (2017); DOI: 10.1177/0734016817702193
- “Taking Stock of Innocence: Movements, Mountains, and Wrongful Convictions,” 33 *Journal of Contemporary Criminal Justice* 8-25 (2017)
- “Elephants in the Courtroom: Examining Overlooked Issues in Wrongful Convictions—Foreword,” (James R. Acker, Allison D. Redlich, Catherine L. Bonventre & Robert J. Norris), 79 *Albany Law Review* 705-716 (2016)
- “The Death Penalty: Killing What We Instead Could Be,” in *Death Penalty and the Victims* 293-303 (Ivan Simonovic, ed.). Office of the United Nations High Commissioner for Human Rights: New York (2016)
- “Invoking Ineffable Experience: The Aborted Argument for Curbing Religious Accommodation in Arkansas Prisons,” (Hans Toch & James R. Acker), 52 *Criminal Law Bulletin* 434-451 (2016)
- “The National Death Penalty Archive: A History in the Making,” 27 *Correctional Law Reporter* 21, 29-30 (2015)
- “Botched Executions: Now and Then, and Yet Again,” 26 *Correctional Law Reporter* 37-50 (2014)
- “Examining Wrongful Convictions: Stepping Back, Moving Forward” (James R. Acker, Allison D. Redlich, Robert J. Norris & Catherine L. Bonventre), in *Examining Wrongful Convictions: Stepping Back, Moving Forward* 3-15 (Allison D. Redlich, James R. Acker, Robert J. Norris & Catherine L. Bonventre, eds.). Carolina Academic Press: Durham, NC (2014)
- “Wrongful Convictions: Reflections on Moving Forward” (Allison D. Redlich, James R. Acker, Robert J. Norris & Catherine L. Bonventre), in *Examining Wrongful Convictions: Stepping Back, Moving Forward* 337-349 (Allison D. Redlich, James R. Acker, Robert J. Norris & Catherine L. Bonventre, eds.). Carolina Academic Press: Durham, NC (2014)
- "America's Experiment With Capital Punishment," in James R. Acker, Robert M. Bohm & Charles S. Lanier (eds.), *America's Experiment With Capital Punishment: Reflections on the Past, Present, and Future of the Ultimate Penal Sanction* 3-15 (Carolina Academic Press: Durham, NC, rev. 3d ed. 2014, orig. 1998) (with Robert M. Bohm and Charles S. Lanier)
- "Beyond Human Ability? The Rise and Fall of Death Penalty Legislation," in James R. Acker, Robert M. Bohm, & Charles S. Lanier (eds.), *America's Experiment With*

- Capital Punishment: Reflections on the Past, Present, and Future of the Ultimate Penal Sanction* 101-136 (Carolina Academic Press, Durham, NC, rev. 3d ed. 2014, orig. 1998) (with Charles S. Lanier)
- “Deadly Errors and Salutory Reforms: The Kill That Cures?” (with Rose Bellandi) in *Wrongful Conviction and Criminal Justice Reform: Making Justice* 269-285. (Marvin Zalman & Julia Carrano, eds.). Routledge: New York (2014)
- “The Flipside Injustice of Wrongful Convictions: When the Guilty Go Free,” 76 *Albany Law Review* 1629-1712 (2012/2013)
- “Your Money and Your Life: How Cost Nearly Killed California’s Death Penalty,” 24 *Correctional Law Reporter* 69-83 (with continuations) (2013)
- “The Myth of Closure and Capital Punishment,” in *Demystifying Crime and Criminal Justice* 146-152 (Robert M. Bohm & Jeffery T. Walker, eds.) (New York: Oxford University Press) (2d ed., 2013)
- “Firmament or Folly? Protecting the Innocent, Promoting Capital Punishment, and the Paradoxes of Reconciliation,” (with Rose Bellandi), 29 *Justice Quarterly* 287-307 (2012)
- “Foreword—Miscarriages of Justice: ‘Better that Ten Guilty Persons Escape than that One Innocent Suffer’: Appraising the Blackstone Ratio in 2011,” 74 *Albany Law Review* 1067-1070 (2011)
- “‘Than That One Innocent Suffer’: Evaluating State Safeguards Against Wrongful Convictions,” (Robert J. Norris, Catherine L. Bonventre, Allison D. Redlich & James R. Acker), 74 *Albany Law Review* 1301-1361 (2011)
- “Capital Punishment,” in 3 *Governing America: Major Decisions of Federal, State, and Local Governments from 1789 to the Present* 829-839 (Paul J. Quirk & William Cunion, eds). New York: Facts on File (2011)
- “The Death Penalty Loses Its Mind: An Interview With James Acker,” (Dennis Sullivan & James Acker), 13 *Contemporary Justice Review* 477-486 (2010)
- “Protecting the Innocent in New York: Moving Beyond Changing Only Their Names,” (with Catherine L. Bonventre), 73 *Albany Law Review* 1245-1356 (2010)
- “Wrongful Convictions Then and Now: Lessons to Be Learned,” 73 *Albany Law Review* 1207-1211 (2010) (remarks)

- “The Power to be Lenient: Examining New York Governors’ Capital Case Clemency Decisions,” (Talia Harmon, James R. Acker & Craig Rivera), *27 Justice Quarterly* 742-764 (2010)
- “Merciful Justice: Lessons from Fifty Years of New York Death Penalty Commutations,” (with Talia Harmon & Craig Rivera), *35 Criminal Justice Review* 183-199 (2010)
- “The Flow and Ebb of American Capital Punishment,” in *Handbook of Criminology and Deviance* 297-317 (Marvin Krohn, Alan J. Lizotte & Gina Penly Hall, eds.). Springer: New York (2009)
- “Actual Innocence: Is Death Different?” *27 Behavioral Sciences and Law* 297-311 (2009)
- “Introduction and Overview— The Future of America’s Death Penalty: An Agenda for the Next Generation of Capital Punishment Research” (Charles S. Lanier, William J. Bowers & James R. Acker), in *The Future of America’s Death Penalty: An Agenda for the Next Generation of Capital Punishment Research* 3-9 (Charles S. Lanier, William J. Bowers & James R. Acker, eds.). Carolina Academic Press: Durham, NC (2009)
- “Alternative Sanctions for Capital Murder: Form and Function,” in *The Future of America’s Death Penalty: An Agenda for the Next Generation of Capital Punishment Research* 453-468 (Charles S. Lanier, William J. Bowers & James R. Acker, eds.). Carolina Academic Press: Durham, NC (2009)
- “Conclusion—An Agenda for the Next Generation of Capital Punishment Research,” (James R. Acker, William J. Bowers & Charles S. Lanier), in *The Future of America’s Death Penalty: An Agenda for the Next Generation of Capital Punishment Research* 499-519 (Charles S. Lanier, William J. Bowers & James R. Acker, eds.). Carolina Academic Press: Durham, NC (2009)
- “‘The Time . . . Has Surely Arrived’: Justice Stevens and the Death Penalty,” *11 Contemporary Justice Review* 287-289 (2008)
- “Be Careful What You Ask For: Lessons From New York’s Recent Experience With Capital Punishment,” *32 Vermont Law Review* 683-763 (2008)
- “Scrutinizing the Death Penalty: State Death Penalty Study Commissions and Their Recommendations,” in *The Death Penalty Today* 29-59 (Robert M. Bohm, ed.). CRC Press, Taylor & Francis Group: New York (2008)
- “Impose an Immediate Moratorium on Executions,” *6 Criminology & Public Policy* 641-650 (2007)

- “Introduction: Victim-Based Perspectives on the Death Penalty,” (with David R. Karp), in *Wounds That Do Not Bind: Victim-Based Perspectives on the Death Penalty* 3-14 (James R. Acker & David R. Karp, eds.). Carolina Academic Press: Durham, NC (2006)
- “Causing Death and Sustaining Life: The Law, Capital Punishment, and Criminal Homicide Victims’ Survivors,” (with Jeanna Marie Mastrocinque), in *Wounds That Do Not Bind: Victim-Based Perspectives on the Death Penalty* 141-160 (James R. Acker & David R. Karp, eds.). Carolina Academic Press: Durham, NC (2006)
- “Accommodation, Sponsorship and Religious Activities in Prison,” (Hans Toch & James R. Acker), 42 *Criminal Law Bulletin* 261-288 (2006)
- “Hearing the Victim’s Voice Amidst the Cry for Capital Punishment,” in *Handbook of Restorative Justice: A Global Perspective* 246-260 (Dennis Sullivan & Larry Tifft, eds.). Taylor and Francis (2006)
- “The Empirical Judiciary: Resolving the Evolving Standards of Decency in *Roper v. Simmons*,” 5 *Juvenile Correctional Mental Health Report* 81-95 (No. 6) (2005)
- “Probable Cause,” in 1 *Encyclopedia of Law Enforcement* 365-369 (Larry E. Sullivan & Marie Simonetti Rosen, eds.) (Sage Publications) (2005)
- “The Trial of Joan Little: An Inmate, a Jailer, and a First-degree Murder Charge,” in 4 *Famous American Crimes and Trials* 193-209 (Frankie Y. Bailey & Steven Chermak, eds.) (Praeger 2004)
- “The Scottsboro Boys Trials: Black Men as ‘Racial Scapegoats,’” (with Elizabeth K. Brown and Christine M. Englebrecht) in 3 *Famous American Crimes and Trials* 147-168 (Frankie Y. Bailey & Steven Chermak, eds.) (Praeger 2004) (revised and reprinted in 1 *Crimes and Trials of the Century* 131-151 (Steven Chermak & Frankie Y. Bailey, eds.) (Greenwood Press 2007))
- “Capital Punishment, the Moratorium Movement, and Empirical Questions: Looking Beyond Innocence, Race, and Bad Lawyering in Death Penalty Cases,” (Charles S. Lanier & James R. Acker), 10 *Psychology, Public Policy & Law* 577-617 (2004) (cited in *Kansas v. Marsh*, 548 U.S. 163 (2006))
- “Racial Segregation as a Prison Initiation Experience,” (Hans Toch & James R. Acker), 40 *Criminal Law Bulletin* 466-482 (2004)
- “Class Acts: Outstanding College Teachers and the Difference They Make,” 28 *Criminal Justice Review* 215-231 (2003)

- "The Death Penalty: An American History," 6 *Contemporary Justice Review* 169-186 (2003)
- "The Death Penalty: Down But Not Out in the Summer of '02," 5 *Contemporary Justice Review* 381-387 (2002)
- "The Ghost of Capital Punishment Past," 38 *Criminal Law Bulletin* 510-515 (2002)
- "Capital Crimes," 1 *Encyclopedia of Crime & Punishment* 152-158 (David Levinson, ed., Great Barrington, MA: Berkshire Reference Works) (2002)
- "The Death of Capital Punishment: An Interview with James Acker," 4 *Contemporary Justice Review* 369-399 (2001) (with Dennis Sullivan)
- "No Appeal from the Grave: Innocence, Capital Punishment, and the Lessons of History," in Sandra D. Westervelt & John A. Humphrey (eds.), *Wrongly Convicted: When Justice Fails* 154-173 (Rutgers University Press) (2001) (with Thomas Brewer, Eamonn Cunningham, Allison Fitzgerald, Jamie Flexon, Julie Lombard, Barbara Ryn & Bivette Stodghill)
- "Building a Better Youth Court," 23 *Law & Policy* 197-215 (2001) (with Pamela Nicole Hendrix, Lorraine Hogan & Andrea Kordzek)
- "Accommodating Death Penalty Legislation: Assistant District Attorneys' Personal and Professional Views About Capital Punishment," 25 *American Journal of Criminal Justice* 15-29 (2000) (Lisa Callahan, James R. Acker & Catherine Cerulli)
- "Capital Punishment: The Errors of Our Ways," 36 *Criminal Law Bulletin* 330-335 (2000) (an exchange with Dr. Ernest van den Haag)
- "May God--Or the Governor--Have Mercy: Executive Clemency and Methods of Execution in Modern Death-Penalty Systems," 36 *Criminal Law Bulletin* 200-237 (2000) (with Charles S. Lanier)
- "Something Old, Something New, Something Borrowed, Something Blue: A Panoramic View of Capital Punishment," 24 *Criminal Justice Review* 169-180 (1999)
- "The Empire State Strikes Back: Examining Death- and Life-Qualification of Jurors and Sentencing Alternatives Under New York's Capital-Punishment Law," 10 *Criminal Justice Policy Review* 49-83 (1999) (with David C. Brody, Talia Roitberg Harmon, and J. Scott Richeson)
- "Ready for the Defense? Legislative Provisions Governing the Appointment of Counsel

- in Capital Cases," 35 *Criminal Law Bulletin* 429-477 (1999) (with Charles S. Lanier)
- "A Glimmer of Light in the Shadows of Death: Condemned Prisoners' Access to Spiritual Advisors -- An Assessment of Policies and Practices," 2 *Contemporary Justice Review* 235-260 (1999) (with Thomas Brewer, Eamonn Cunningham, Allison Fitzgerald, Jamie Flexon, Julie Lombard, Barbara Ryn, and Bivette Stodghill).
- "The Death Penalty: Focus on the United States," in Graeme Newman (ed.), *Global Report on Crime and Justice* 110 (United Nations; Oxford University Press 1999).
- "When Answers Precede Questions: Megan's Laws' Uncertain Policy Consequences," 34 *Criminal Law Bulletin* 235-260 (1998) (with Catherine Cerulli)
- "Unfit to Live, Unfit to Die: Incompetency for Execution Under Modern Death Penalty Legislation," 33 *Criminal Law Bulletin* 107-150 (1997) (with Charles S. Lanier)
- "When the Cheering Stopped: An Overview and Analysis of New York's Death Penalty Legislation," 17 *Pace Law Review* 41-227 (1996)
- "The Death Penalty: A 25-Year Retrospective and a Perspective on the Future," 21 *Criminal Justice Review* 139-160 (1996)
- "Law, Discretion, and the Capital Jury: Death Penalty Statutes and Proposals for Reform," 32 *Criminal Law Bulletin* 134-180 (1996) (with Charles S. Lanier) (cited and quoted in *Jones v. United States*, 527 U.S. 373 (1999) (Ginsburg, J., dissenting))
- "Statutory Measures for More Effective Appellate Review of Capital Cases," 31 *Criminal Law Bulletin* 211-258 (1995) (with Charles S. Lanier)
- "The Law of the Future," in *Crime and Justice in the Year 2010* pp. 62-85 (John Klofas & Stan Stojkovic, eds., Brooks/Cole Publishing Co., 1995)
- "Matters of Life or Death: The Sentencing Provisions in Capital Punishment Statutes," 31 *Criminal Law Bulletin* 19-60 (1995) (with Charles S. Lanier)
- "In Fairness and Mercy: The Function and Form of Statutory Mitigating Factors in Capital Punishment Laws," 30 *Criminal Law Bulletin* 299-345 (1994) (with Charles S. Lanier)
- "Parsing this Lexicon of Death': Aggravating Factors in Capital Sentencing Statutes," 30 *Criminal Law Bulletin* 107-152 (1994) (with C.S. Lanier)

- "Aggravating Circumstances in Capital Punishment Law: Rhetoric or Meaningful Reforms?," *29 Criminal Law Bulletin* 467-501 (1993) (with C.S. Lanier)
- "The Dimensions of Capital Murder," *29 Criminal Law Bulletin* 379-417 (1993) (with C.S. Lanier)
- "Capital Murder from Benefit of Clergy to Bifurcated Trials: Narrowing the Class of Offenses Punishable by Death," *29 Criminal Law Bulletin* 291-316 (1993) (with C.S. Lanier)
- "A Different Agenda: The Supreme Court, Empirical Research Evidence, and Capital Punishment Decisions, 1986-1989," *27 Law & Society Review* 65-88 (1993)
- "Mortal Friends and Enemies: Amici Curiae in Supreme Court Death Penalty Cases," *19 New England Journal on Criminal and Civil Confinement* 1-59 (1993)
- "Doing the Devil's Work: Toward Model Death Penalty Legislation," *29 Criminal Law Bulletin* 219-240 (1993) (with C.S. Lanier)
- "Affirmed: Using Social Science Research Evidence in Appellate Court Decision Making," *7 Criminal Justice Research Bulletin* 1-6 (No. 3, 1992)
- "Seed to Root to Branch: Briefwriters' Contributions to Supreme Court Capital Punishment Doctrine," *17 Criminal Justice Review* 20-43 (1992)
- "Social Sciences and the Criminal Law: Victims of Crime --Plight vs. Rights," *28 Criminal Law Bulletin* 64-77 (1992)
- "Social Science in Supreme Court Death Penalty Cases: Citation Practices and Implications," *8 Justice Quarterly* 421-446 (1991)
- "New York's Proposed Death Penalty Legislation: Constitutional and Policy Perspectives," *54 Albany Law Review* 515-616 (1990)
- "Finding the Law: A Criminal Justice Guide to Basic Legal Research Techniques," *1 Journal of Criminal Justice Education* 215-244 (1990)
- "On Confusing Justice With Mercy: A Reply to Professor Sherwin," *70 Prison Journal* 128-130 (1990)
- "Thirty Years of Social Science in Supreme Court Criminal Cases," *12 Law and Policy* 1-23 (1990)
- "Dual and Unusual: Competing Views of Death Penalty Adjudication," *16 Criminal Law Bulletin* 123-154 (1990)

- "Social Science in Supreme Court Criminal Cases and Briefs: The Actual and Potential Contribution of Social Scientists as Amici Curiae," 14 *Law and Human Behavior* 25-42 (1990)
- "Challenging the Death Penalty Under State Constitutions," 42 *Vanderbilt Law Review* 1299-1363 (1989) (with Elizabeth R. Walsh) (reprinted, in part, in Victor L. Streib, ed., *A Capital Punishment Anthology* (Anderson Publishing Co. 1993))
- "Social Sciences and the Criminal Law: A Report on America's War Against Drunk Driving," 25 *Criminal Law Bulletin* 376-394 (1989)
- "The Grand Jury and Capital Punishment: Rethinking the Role of an Ancient Institution Under the Modern Jurisprudence of Death," 21 *Pacific Law Journal* 31-118 (1989)
- "Exercising Peremptory Challenges After *Batson*," 24 *Criminal Law Bulletin* 187-212 (1988)
- "Social Sciences and the Criminal Law: Capital Punishment by the Numbers -- An Analysis of *McCleskey v. Kemp*," 23 *Criminal Law Bulletin* 454-482 (1987)
- "Social Sciences and the Criminal Law: The Fourth Amendment, Probable Cause, and Reasonable Suspicion," 23 *Criminal Law Bulletin* 49-79 (1987)
- "Social Sciences and the Criminal Law: Appellate Advocacy and Social Facts," 21 *Criminal Law Bulletin* 434-461 (1985)
- "Mandatory Capital Punishment for the Life Term Inmate Who Commits Murder: Judgments of Fact and Value in Law and Social Science," 11 *New England Journal on Criminal and Civil Confinement* 267-327 (1985) (cited and quoted in *Sumner v. Shuman*, 483 U.S. 66 (1987))
- "Battered Women, Straw Men, and Expert Testimony: A Comment on *State v. Kelly*," 21 *Criminal Law Bulletin* 125-155 (1985) (with Hans Toch)
- "Social Sciences and the Criminal Law: An Appeal for Judicious (and Judicial) Integration," 20 *Criminal Law Bulletin* 321-339 (1984)
- "The Federal Partnership Controversy and the Applicability of NEPA," 1975 *Duke Law Journal* 527-553 (1975)

Book Reviews

- ___ *Contemporary Sociology* (forthcoming) Jessica S. Henry, *Smoke but No Fire: Convicting the Innocent of Crimes that Never Happened* (2020)
- 56 *Criminal Law Bulletin* ___ (2020) John Paul Stevens, *The Making of a Justice: Reflections on My First 94 Years* (2019)
- Social Forces* (2019) DOI 10.1093/sf/soz084. Tom R. Tyler & Rick Trinkner, *Why Children Follow Rules: Legal Socialization and the Development of Legitimacy* (2017)
- 11 *Theory in Action* 102-108 (2018) Brandon L. Garrett, *End of Its Rope: How Killing the Death Penalty Can Revive Criminal Justice* (2017)
- Rutgers Criminal Law and Criminal Justice Books* (May 2015) Jeffrey L. Kirchmeier, *Imprisoned by the Past: Warren McCleskey and the American Death Penalty* (2015) (online), available at <http://clcjbooks.rutgers.edu/books/imprisoned-by-the-past.html>
- Rutgers Criminal Law and Criminal Justice Books* (Nov. 2014) (Lill Scherdin, ed., *Capital Punishment: A Hazard to a Sustainable Criminal Justice System?* (2014) (online), available at <http://clcjbooks.rutgers.edu/books/capital-punishment-a-hazard-to-a-sustainable-criminal-justice.html>
- 39 *Criminal Justice Review* 347-349 (2014) (Michael Louis Corrado, *Presumed Dangerous: Punishment, Responsibility, and Preventive Detention in American Jurisprudence* (2013))
- Social Forces* (2013) (Saundra D. Westervelt & Kimerly J. Cook, *Life After Death Row: Exonerees' Search for Community and Identity* (2012)) (doi: 10.1093/sf/sot035)
- 38 *Criminal Justice Review* 242-243 (2013) (John D. Bessler, *Cruel & Unusual: The American Death Penalty and the Founders' Eighth Amendment* (2012))
- 31 *Journal of American Ethnic History* 83-85 (2012) (James A. Miller, *Remembering Scottsboro: The Legacy of an Infamous Trial* (2009))
- 47 *Criminal Law Bulletin* 1308-1311 (2011) (David Garland, *Peculiar Institution: America's Death Penalty in an Age of Abolition* (2010)) (remarks transcribed following the 2011 Michael J. Hindelang Lecture sponsored by the University at Albany's School of Criminal Justice, which featured Professor Garland's address)
- 46 *Criminal Law Bulletin* 563-567 (2010) (Rebecca C. Harris, *Black Robes, White Coats: The Puzzle of Judicial Policymaking and Scientific Evidence* (2008))

- 19 *Law and Politics Book Review* 538-542 (no. 7) (2009) (Thomas G. Walker, *Eligible for Execution: The Story of the Daryl Atkins Case* (2009)), available at <http://www.bsos.umd.edu/gvpt/lpbr/reviews/2009/07/eligible-for-execution-story-of-daryl.html>
- 30 *Justice System Journal* 114-117 (2009) (Jon B. Gould, *The Innocence Commission: Preventing Wrongful Convictions and Restoring the Criminal Justice System* (2008))
- 18 *Law and Politics Book Review* 601-604 (no. 7) (2008) (Jennifer L. Culbert, *Dead Certainty: The Death Penalty and the Problem of Judgment* (2007)), available at <http://www.bsos.umd.edu/gvpt/lpbr/subpages/reviews/culbert0708.htm>
- 13 *Law and Politics Book Review* (no. 10) (2003) (Michael A. Foley, *Arbitrary and Capricious: The Supreme Court, the Constitution, and the Death Penalty* (2003)), available at <http://www.bsos.umd.edu/gvpt/lpbr/subpages/reviews/foley-michael.htm>
- 13 *Law and Politics Book Review* (no. 2) (2003) (Barry Latzer (ed.), *Death Penalty Cases: Leading U.S. Supreme Court Cases on Capital Punishment* (2d edition, 2002)), available at <http://www.bsos.umd.edu/gvpt/lpbr/subpages/reviews/latzer-barry.htm>
- 228 *New York Law Journal* (no. 20) 2 (July 31, 2002) (Cathleen Burnett, *Justice Denied: Clemency Appeals in Death Penalty Cases* (2002))
- 36 *Criminal Law Bulletin* 176-179 (2000) (Fred Cohen, *The Mentally Disordered Inmate and the Law* (1998))
- 8 *Law and Politics Book Review* 447-449 (1998) (Barry Latzer (ed.), *Death Penalty Cases: Leading U.S. Supreme Court Cases on Capital Punishment* (1998))
- 20 *Criminologist* 17 (No. 5, Sept./Oct. 1995) (Stephen Shute, John Gardner, and Jeremy Horder (eds.), *Action and Value in Criminal Law* (1993))
- 12 *Justice Quarterly* 407-413 (1995) (James W. Marquart, Sheldon Ekland-Olson & Jonathan R. Sorensen, *The Rope, the Chair, and the Needle: Capital Punishment in Texas, 1923-1990* (1994))
- 1 *Journal of Criminal Justice and Popular Culture* 28-31 (1993) (Films for the Humanities & Sciences, Inc., "The Capital Punishment Industry" (1993) (video cassette)) (Available electronically on Internet from SUNYCRJ@UACSC2.ALBANY.EDU, or on Bitnet from SUNYCRJ@ALBANYVM1.BITNET)

- 29 *Criminal Law Bulletin* 461-463 (1993) (Raymond C. Paternoster, *Capital Punishment in America* (1991))
- 20 *Journal of Psychiatry and Law* 273-278 (1992) (David B. Wexler & Bruce J. Winick, *Essays in Therapeutic Jurisprudence* (1991))
- 28 *Criminal Law Bulletin* 188-192 (1992) (Joseph B. Ingle, *Last Rights: 13 Fatal Encounters with the State's Justice* (1990))
- 27 *Criminal Law Bulletin* 284-288 (1991) (D. Baldus, G. Woodworth & C. Pulaski, *Equal Justice and the Death Penalty: A Legal and Empirical Analysis* (1990))
- 15 *Criminal Justice Review* 278-280 (1990) (B. Schwartz, *The Unpublished Opinions of the Burger Court* (1988))
- 17 *Journal of Psychiatry and Law* 671-677 (1989) (M. Radelet, ed., *Facing the Death Penalty: Essays on a Cruel and Unusual Punishment* (1989))
- 15 *New England Journal on Criminal and Civil Confinement* 325-330 (1989) (K. Haas & J. Inciardi eds., *Challenging Capital Punishment: Legal and Social Science Approaches* (1988))
- 17 *Journal of Psychiatry and Law* 275-279 (1989) (G. Fletcher, *A Crime of Self Defense: Bernhard Goetz and the Law on Trial* (1988))
- 25 *Criminal Law Bulletin* 308-312 (1989) (A. Miller & J. Bowman, *Death by Installments: The Ordeal of Willie Francis* (1988))
- 17 *Contemporary Sociology* 67-68 (1988) (Franklin Zimring & Gordon Hawkins, *Capital Punishment and the American Agenda* (1986))
- 15 *Journal of Psychiatry and Law* 455-463 (1987) (Martin Kaplan ed., *The Impact of Social Psychology on Procedural Justice* (1986))
- 14 *Criminal Justice and Behavior* 110-113 (1987) (Thomas Grisso, *Evaluating Competencies: Forensic Assessments and Instruments* (1986))

Other Publications

“Responsible Citizenship,” *Albany Times Union* D2 (July 12, 2020), available at <https://www.timesunion.com/opinion/article/Responsible-citizenship-15401930.php>

“How a Traveling Salesman in the 1970s Became a Leading Opponent to the Death Penalty,” (with Brian Keough and Sarah O’Carroll) (December 11, 2019) (podcast), available at <https://ualbanynewspodcast.simplecast.com/episodes/how->

[a-travelling-salesman-in-the-1970s-became-a-leading-opponent-of-the-death-penalty](#)

“Constitutional Tweaks,” *Albany Times Union* D2 (November 25, 2019), available at <https://www.timesunion.com/opinion/article/Constitutional-tweaks-14856047.php>.

“The Death Penalty: An American Tradition on the Decline,” (with Brian Keough), *The Conversation*, available at <http://theconversation.com/the-death-penalty-an-american-tradition-on-the-decline-107948> (February 2019).

“The Answer to Madness of Shootings Is Within Our Reach.” *Albany Times Union* (July 13, 2016), available at <http://www.timesunion.com/tuplus-opinion/article/The-answer-to-madness-of-shootings-is-within-our-8355155.php>.

“Death for Dzhokhar Tsarnaev: The Seduction of the Legal Maximum,” *The Hill* (May 20, 2015) (op-ed), available at <http://thehill.com/blogs/congress-blog/judicial/242559-death-for-dzhokhar-tsarnaev-the-seduction-of-the-legal-maximum>

“Police Need to Customize Their Approach to Community” (David H. Bayley & James R. Acker), *Albany Times Union* (April 28, 2015) (op-ed), available at <http://www.timesunion.com/tuplus-opinion/article/Police-need-to-customize-their-approach-to-6226959.php>.

“Videotape Evidence Tells Truth” (with Allison D. Redlich), *Albany Times Union* (March 14, 2014) (op-ed), available at <http://www.timesunion.com/opinion/article/Videotape-evidence-tells-truth-5315174.php>.

“Introduction and Review: Evan J. Mandery, *A Wild Justice: The Death and Resurrection of Capital Punishment in America* (New York: W.W. Norton & Co. 2013),” Firedoglake Book Salon, <http://firedoglake.com/2013/11/03/fdl-book-salon-welcomes-evan-j-mandery-a-wild-justice-the-death-and-resurrection-of-capital-punishment-in-america/> (Nov. 3, 2013).

“Why Death Penalty for Holmes Wouldn’t Bring Justice,” *CNN.com Opinion* (April 3, 2013), available at http://www.cnn.com/2013/04/03/opinion/ackers-holmes-death-penalty/index.html?hpt=op_t1.

“Life, Death, and Race: How Colorblind is Justice, Especially in Capital Cases?” *Albany Times Union* (April 22, 2012) (op-ed), available at <http://www.timesunion.com/opinion/article/Life-death-and-race-3500557.php>.

“A 20% Approach to Justice Reform” (with Allison D. Redlich), *Newsday* (March 26, 2012) (op-ed), available at <http://www.newsday.com/opinion/oped/opinion-a-20-approach-to-justice-reform-1.3620302>.

“Davis Case Helps Focus on What’s Wrong with the Death Penalty,” *CNN Opinion* (Sept. 16, 2011), available at http://www.cnn.com/2011/09/16/opinion/acker-davis-death-penalty/index.html?hpt=op_t1.

“You Can Know the Tune, but Miss the Point,” *Albany Times Union* A9 (July 9, 2008) (op-ed).

“Who Shall Die? The First Test,” *Newsday* B4-B5 (May 12, 2002) (op-ed).

"The Death Penalty: A Scholarly Forum," 12 *American Bar Association Focus on Law Studies* (no. 2), 1, 4-11 (Spring 1997) (with Dane Archer, David Baldus, Leigh Bienen, James Coleman, Shari Diamond, John McAdams, and Austin Sarat)

"The Color of Blood: Race and Capital Punishment," 4 *The Advocate* (No. 1), 1, 3 (Center for Law and Justice, Albany, NY, March 1995)

"Capital Punishment’s Court of Last Resort," *Newsday* A39 (Jan. 22, 1995), and *New York Newsday* A33 (Jan. 22, 1995) (op-ed)

"Capital Punishment in New York: A Closer Look," *Update* 2-3 (New York State Coalition for Criminal Justice, Albany, NY, Spring 1991)

Participation at Professional Meetings and Scholarly Presentations

“Criminal Law and Procedure in the post-Scalia Supreme Court,” Symposium, *Shaping SCOTUS: The Impact of the 2016 Presidential Election on the Future of the Supreme Court*, Albany Law School, Albany, NY, October 2016.

“Marching in Time with the Death Penalty: (Re)Forms and (Dys)Functions,” Symposium, *From Capital Punishment to Restorative Justice: Where Does America Stand?*, Utah Valley University, Orem, UT, October 2012.

“Comment on David Garland, *Peculiar Institution: America’s Death Penalty in an Age of Abolition* (Cambridge, MA: Belknap Press 2010), and Michael J. Hindelang Lecture,” University at Albany School of Criminal Justice, Albany, NY, May 2011.

“Arbitrariness, Innocence, and Capital Punishment: The Maryland Experience” (with Rose Bellandi), Annual Meeting, American Society of Criminology, San Francisco, CA, November, 2010.

- “Wrongful Convictions in New York: Contributing Factors and Prospects for Reform,” *Albany Law Review Symposium, Wrongful Convictions: Understanding and Addressing Criminal Injustice*, Albany Law School, Albany, NY, March, 2010.
- “Until Proven Guilty: Miscarriages of Justice in New York” (with Catherine L. Bonventre), Annual Meeting, American Society of Criminology, Philadelphia, PA, November, 2009.
- “The Future of Capital Punishment in the United States: Life After Abolition of the Punishment of Death—Pondering Lessons from New York, New Jersey, and New Mexico,” Annual Meeting, American Society of Criminology, Philadelphia, PA, November, 2009.
- “Is the Death Penalty Just and Moral?” Moderator, Panel Discussion, Susquehanna University, Arlin M. Adams Center for Law and Society Symposium, “Should the Death Penalty be Abolished?” March, 2008.
- “Documenting Capital Punishment: The National Death Penalty Archive,” *Researching New York 2007: Politics and Power in New York*, University at Albany Department of History, University at Albany, November, 2007.
- “Scrutinizing Capital Punishment: State Death Penalty Study Commissions and Their Recommendations,” Annual Meeting, Academy of Criminal Justice Sciences, Seattle, WA, March, 2007.
- “Teaching Law in Criminal Justice,” Panel Discussion, Annual Meeting, Academy of Criminal Justice Sciences, Seattle, WA, March, 2007.
- “The Future of the Death Penalty: Judicial Arbitrariness and *People v. Taylor*,” Annual Meeting, Academy of Criminal Justice Sciences, Seattle, WA, March, 2007.
- “Toward a Research Agenda for the Future,” Moderator, Albany Symposium on Crime and Justice—The Next Generation of Death Penalty Research: Priorities, Strategies, and an Agenda,” Albany, NY, October, 2006.
- “Punishment, Compensation, and Beyond: Evolving Legal Responses to the Victims of Criminal Homicide,” Panel Chair and Co-presenter (with Jeanna Marie Mastrocinque), Annual Meeting, American Society of Criminology, Toronto, Ontario, November, 2005.
- “Capital Punishment and Victims’ Families II,” Discussant, Annual Meeting, American Society of Criminology, Toronto, Ontario, November, 2005.

- “A History of New York’s Death Penalty: Law and Practice,” Panel Chair and Discussant, Annual Meeting, American Society of Criminology, Nashville, TN, November, 2004
- “Anticipatory Deadlock: The Fate and Future of Capital Punishment in New York,” Annual Meeting, American Society of Criminology, Nashville, TN, November, 2004
- “Responding to Victims’ Needs—The Criminal Justice System: Panel Discussion,” Moderator and Discussant, *The Impact of the Death Penalty on Victims’ Families*, Skidmore College, Saratoga Springs, NY, September, 2003
- “The Capital Punishment Research Initiative,” Annual Meeting, Academy of Criminal Justice Sciences, Boston, MA, March, 2003
- “Coping with Crime and Corruption,” Panel Chair and Discussant, *Researching New York 2002: Perspectives on Empire State History*, University at Albany Department of History, Albany, NY, November, 2002
- “New Perspectives in Death Penalty Research,” Moderator, “Equal Treatment and the Death Penalty,” John Jay College of Criminal Justice, New York City, November, 2002
- "New York's Death-Penalty Law: Developments in Doctrine and Administration," Annual Meeting, American Society of Criminology, Atlanta, GA, November, 2001
- "The Capital Punishment Research Initiative," Annual Meeting, American Society of Criminology, San Francisco, CA, November, 2000
- "The Next Step in the Moratorium Movement: Examining the Death Penalty's Middle Game," (with Charles S. Lanier), Annual Meeting of the Criminal Justice Educators Association of New York State, Canadaigua, NY, October, 2000
- "New York Youth Courts: Purposes, Procedures, and Preliminary Questions," (with P. Nicole Hendrix, Lorraine Hogan & Andrea Kordzek), Annual Meeting of the Northeastern Association of Criminal Justice Studies, Stowe, VT, June, 2000
- "Empirical and Other Responses to Calls for a Moratorium on the Death Penalty," (with Charles S. Lanier), Annual Meeting of the Northeastern Association of Criminal Justice Studies, Stowe, VT, June, 2000
- "This Court is Now in Session: A Survey of New York's Youth Courts," (with Deborah Beer, Nicole Hendrix, Lorraine Hogan, Andrea Kordzek, and Juliane Massareli), Annual Meeting, American Society of Criminology, Toronto, Ontario, November, 1999

- "A Jurisprudence for the Ages: Identifying the Top U.S. Supreme Court Justices and Criminal Procedure Decisions of the 20th Century," (with Wayne A. Logan), Annual Meeting, American Society of Criminology, Toronto, Ontario, November, 1999
- "Condemned Prisoners' Access to Spiritual Advisors: An Assessment of Policies and Practices," (with Thomas Brewer, Eamonn Cunningham, Allison Fitzgerald, Jamie Flexon, Julie Lombard, Barbara Ryn & Bivette Stodghill), Annual Meeting, American Society of Criminology, Washington D.C., November, 1998
- "The Future of Capital Punishment in the United States," Roundtable Discussion, Annual Meeting, American Society of Criminology, Washington D.C., November, 1998
- "Gone But Not Forgotten: Investigating the Cases of Eight Executed New Yorkers (1914-1939) Who May Have Been Innocent," (with Eamonn Cunningham, Patricia Donovan, Allison Fitzgerald, Jamie Flexon, Julie Lombard, Barbara Ryn & Bivette Stodghill), Annual Meeting, American Society of Criminology, Washington D.C., November, 1998
- "The Impact of Capital Punishment Legislation on Prosecutors' Work Environments," (with Lisa Callahan & Catherine Cerulli), Annual Meeting, American Society of Criminology, Washington D.C., November, 1998
- "Prosecutors and the Death Penalty: Attitudes Toward and Experiences With Capital Cases," (with Lisa Callahan and Catherine Cerulli), Annual Meeting, American Society of Criminology, Washington D.C., November, 1998
- "The Death Penalty in New York: History and Emerging Issues," The Death Penalty in New York: Law and Research in Action, University at Albany, April, 1998
- "The Empire State Strikes Back: Legal and Empirical Issues Presented by New York's Death Penalty Statute," Annual Meeting, American Society of Criminology, Chicago, Illinois, November, 1996
- "The Devil is in the Details: An Assessment of Past, Present, and Possible Future Trends in Capital Punishment Legislation," Annual Meeting, American Society of Criminology, Chicago, Illinois, November, 1996
- "Preparing Students for College/Transfer/Graduate School," Annual Meeting, Criminal Justice Educators Association of New York State, Albany, New York, November, 1996
- Chair, Roundtable: "Doing the Devil's Work: Thinking About 'Model' Death Penalty Legislation," Annual Meeting, American Society of Criminology, Boston, Massachusetts, November, 1995 (with Charles S. Lanier)

- "Law and Social Control in Graduate Criminal Justice Curricula," paper prepared for presentation at the Conference on Criminal Justice Education, John Jay College of Criminal Justice, the City University of New York, October, 1995 (with David C. Brody and Elizabeth R. Walsh)
- "Capital Appeals: Righting the Wrongs in Death Penalty Cases?," presented at the Annual Meeting, American Society of Criminology, Miami, Florida, November, 1994 (with Charles S. Lanier)
- "Confronting the Role of Juries in Capital Cases: A Review of State and Federal Statutes," presented at the Annual Meeting, American Society of Criminology, Miami, Florida, November, 1994 (with Charles S. Lanier)
- "Mortal Friends: Amici Curiae in Supreme Court Death Penalty Cases," presented at the Annual Meeting, American Society of Criminology, New Orleans, Louisiana, November, 1992
- "The Death Penalty: Toward a Model Act," (with Charles S. Lanier, Jr.) presented at the Annual Meeting, American Society of Criminology, New Orleans, Louisiana, November, 1992 (Panel Chair: "Perspectives on the Death Penalty")
- "The Future of the Law," prepared for presentation at the Annual Meeting, Academy of Criminal Justice Sciences, Pittsburgh, Pennsylvania, March, 1992
- "A Different Agenda: The Supreme Court, Empirical Research, and Capital Punishment Decisions, 1986-1989," presented at the Annual Meeting, American Society of Criminology, San Francisco, California, November, 1991
- "New York's Proposed Death Penalty Legislation," presented at conference cosponsored by the School of Criminal Justice, Albany Law Review of Albany Law School, and SUNY Conversations in the Disciplines Program: The Death Penalty: Perspectives on the Past and Future in New York State, Albany, NY, April, 1991
- "Social Science in Supreme Court Death Penalty Cases: A Description of Citation Practices," prepared for the Annual Meeting, American Society of Criminology, Baltimore, Maryland, November, 1990
- "Seed to Root to Branch: Briefwriters' Contributions to Supreme Court Capital Punishment Doctrine," prepared for the Annual Meeting, American Society of Criminology, Baltimore, Maryland, November, 1990
- "State Constitutional Powers in an Era of Devolving Federalism," Panel Chair and Participant, Roundtable Discussion, Annual Meeting, New York State Political Science Association, Albany, New York, April, 1990

- "Social Science Evidence in Supreme Court Criminal Cases and Briefs: The 1958-1987 Terms," presented at the Annual Meeting, American Society of Criminology, Reno, Nevada, November, 1989
- "Popular v. Legal Perceptions of Crime and Justice," Panel Chair and Discussant, Annual Meeting, American Society of Criminology, Reno, Nevada, November, 1989
- "Challenging the Death Penalty Under State Constitutions: A National Overview and a New York Prospectus," (with Elizabeth R. Walsh), presented at the Annual Meeting, American Society of Criminology, Chicago, Illinois, November, 1988
- "Capital Punishment and the 'Social Worth' of Murder Victims: A Legal and Anthropological Analysis of *Booth v. Maryland*," (with Denis P. Foley), presented at the Annual Meeting, American Society of Criminology, Chicago, Illinois, November, 1988
- "Teaching the Constitution: A Social Science Perspective," presentation delivered at the Annual Meeting, Criminal Justice Educators Association of New York State, Utica, New York, April, 1988
- "The Role of Amici Curiae in Presenting Social Science Information to the United States Supreme Court: A Descriptive and Theoretical Review," presented at the Annual Meeting, American Society of Criminology, Montreal, Quebec, November, 1987
- "The Resolution of Social Facts in Appellate Courts: The Supreme Court's Acquisition and Use of Social Science Research in Fourth Amendment Exclusionary Rule Decisions," presented at the Annual Meeting, American Society of Criminology, San Diego, California, November, 1985
- "The Federal Courts and Criminal Procedure," discussant, Annual Meeting, New York State Political Science Association, Albany, New York, April, 1984

Membership in Professional Organizations

Admitted to practice: North Carolina State Bar (1977) (Inactive Status)
 Admitted to practice: Indiana State Bar (1976) (Inactive Status)
 American Society of Criminology (1992-2001)
 Academy of Criminal Justice Sciences (1997-2001)
 Law and Society Association (1987-1990)

Research, Conference, and Development Grants

- University at Albany/Albany Law School Collaborative Venture Fund, "A Preliminary Evaluation of the Albany Domestic Violence Court," 2016 (with Mary Lynch and Alissa Worden) (\$2,936.70)
- National Science Foundation Grant, "Elephants in the Courtroom: Overlooked Issues in Wrongful Convictions," 2015 (with Allison D. Redlich) (\$49,807)
- University at Albany Diversity Transformation Fund Award, "Fair and Impartial Policing: A Training and Research Initiative to Identify and Guard against Implicit Biases," 2015 (with Robert Worden and J. Frank Wiley) (\$3,250.00)
- University at Albany Conference Grant, "Capital Punishment: History and Its Continuing Relevance," 2015 (\$2,500)
- University Auxiliary Services Grant, "Capital Punishment: History and Its Continuing Relevance," 2015 (\$1,000)
- Bernard F. and Alva B. Gimbel Foundation Grant, "Capital Punishment Research Initiative," 2004 (with Charles S. Lanier) (\$4,000)
- University at Albany Innovation in Teaching Awards Grant, "Developing a Moot Court Experience and Oral Discourse Class Involving CRJ 202," 2003 (\$4,180)
- Bernard F. and Alva B. Gimbel Foundation Grant, "Capital Punishment Research Initiative," 2003 (with Charles S. Lanier) (\$6,000)
- University at Albany Conference Support Grant, "The Impact of the Death Penalty on Murder Victims' Families," 2002-2003 (\$2,500)
- Bernard F. and Alva B. Gimbel Foundation Grant, "Capital Punishment Research Initiative," 2002 (with Charles S. Lanier) (\$12,000)
- Bernard F. and Alva B. Gimbel Foundation Grant, "Capital Punishment Research Initiative," 2001 (with Charles S. Lanier) (\$12,000)
- Bernard F. and Alva B. Gimbel Foundation Grant, "Capital Punishment Research Initiative," 2000 (with Charles S. Lanier) (\$6,000)
- University at Albany Conference Support Grant, "Restorative Justice: Healing Harms and Preventing Violence Among Youth," 2000 (with Dennis Sullivan) (\$2,500)
- United States Department of Justice, Office for Victims of Crime, "Restorative Justice: Healing Harms and Preventing Violence Among Youth," 2000 (with Dennis Sullivan) (\$12,500)

University at Albany Conference Support Grant, "Hate Crimes Legislation," 1999 (with Colin Loftin and Wayne Logan) (\$2,500)

University at Albany Conference Support Grant, "Assessing Capital Punishment in New York State: Empirical, Political, Historical, and Legal Issues," 1998 (\$1,500)

University at Albany Conference Support Grant, "'Zero Tolerance' Policing Initiatives: Legal and Policy Perspectives," 1998 (with Wayne Logan) (\$1,500)

University at Albany Faculty Research Award Program Grant-in-Aid: "Assessing the Demographic and Attitudinal Impact of Death Qualification and Life Qualification Among Prospective New York Jurors," 1996 (\$2,120)

University at Albany Faculty Research Award Program Grant-in-Aid: "An Analysis of Death Penalty Legislation in the United States," 1993 (\$2,353)

University at Albany Faculty Research Award Program Grant-in-Aid: "The Uses of Social Science Research in Supreme Court Capital Punishment Cases," 1991 (\$3,500)

University at Albany Conference Support Grant, "The Death Penalty: Perspectives on the Past and Future in New York State," 1990-91 (\$2,000)

University at Albany Faculty Research Awards Program Grant-in-Aid, "A History of the Death Penalty in New York State," 1989 (\$3,476)

American Bar Association Commission on College and University Nonprofessional Legal Studies Mini-Grant, (with Fred Cohen and Alan Lizotte), to sponsor multi-university symposium, "Drugs, Criminal Justice and the Law," 1988 (\$1,200)

University at Albany Small Grants Program, "The Supreme Court's Use of Social Science Evidence in Criminal Law and Criminal Procedure Decisions," 1984

Other Professional Activities

Editorial Board, *Wrongful Conviction Law Review*, 2019-

Member, New York State Bar Association Task Force on Wrongful Convictions, 2018-2019.

Co-organizer, "Crime, Mental Illness, and Justice: From Capital Punishment to Lunacy Commissions," University at Albany, October 2016.

Co-organizer, "The History of the Death Penalty: Connecting the Past, Present, and Future," The Eugene G. and Marilyn M. Wanger Death Penalty Collection, National Death Penalty Archive, University at Albany, April 2015

- Co-organizer, “The Henry Schwarzschild Collection: Reflections on the Death Penalty,” National Death Penalty Archive, University at Albany, September 2013
- Co-organizer, “Race and the Death Penalty: A Tribute to the Life and Work of David C. Baldus,” National Death Penalty Archive, University at Albany, 2012.
- Board of Editors, *Albany Law Review*/ University at Albany, Special Issue: Miscarriages of Justice, 2010-present (Chair 2010-2013)
- Program Committee Sub-section Chair, American Society of Criminology Annual Meeting, Philadelphia, PA (“Capital Punishment: Legal Issues”), 2009.
- Program Committee Sub-section Chair, American Society of Criminology Annual Meeting, St. Louis, MO (“Capital Punishment: Legal Issues”), 2008.
- Committee for an Independent Public Defense Commission, Albany, NY, October 2007
- Consultant, Ohio Board of Regents, Program Review of Proposed MA in Criminal Justice Administration, Urbana University, August 2007
- Co-organizer, Albany Symposium on Crime and Justice—The Next Generation of Death Penalty Research: Priorities, Strategies, and an Agenda, University at Albany, Oct. 6-7, 2006 (with Charles S. Lanier and William J. Bowers)
- Co-organizer, “National Death Penalty Archive Dedication Ceremony,” Science Library, University at Albany, Aug. 9, 2005 (with Charles S. Lanier)
- Co-organizer and co-moderator, “‘The Empty Chair’ and Panel Discussion: Murder Victims’ Survivors and Capital Punishment,” University at Albany, February 24, 2005
- Co-organizer and co-moderator, “The Future of the Death Penalty in New York: A Public Forum with the Nation’s Leading Scholars,” (co-sponsored by the University at Albany School of Criminal Justice and the Capital Punishment Research Initiative, Nov. 11, 2004) (with Charles S. Lanier), University at Albany
- Co-organizer, “The Impact of the Death Penalty on Victims’ Families” (conference co-sponsored by Skidmore College, the University at Albany School of Criminal Justice, and Justice Solutions, Sept. 11-13, 2003) (with Beau Breslin, David Karp, and Anne Seymour), Saratoga Springs, NY
- Board of Editors, *Albany Law Review: State Constitutional Commentary* (1997-present)
- Co-Editor-in-Chief, *Criminal Law Bulletin* (1996-2002)

Editorial Advisory Board, *Criminal Law Bulletin* (1987-1996)

Program Committee Member and Chair, Capital Punishment Division, American Society of Criminology, Toronto, Ontario, November, 1999

Editorial Board, *Justice Quarterly* (1989-1991)

Editorial Consultant, *Journal of Criminal Law & Criminology* (1990-1993)

Ad hoc Reviewer: *National Science Foundation*
 American Sociological Review
 Law and Society Review
 Criminology
 Journal of Research in Crime and Delinquency
 Justice Systems Journal
 Justice Quarterly
 Journal of Criminal Justice Education
 Criminal Justice and Behavior
 Journal of Criminal Justice
 Law and Human Behavior
 Journal of Crime & Justice
 The Prison Journal
 Journal of Ethnicity in Criminal Justice
 International Journal of Comparative and Applied Criminal
 Justice
 Criminal Justice Review
 University of Wisconsin Press
 University of Minnesota Press

Co-organizer, "Restorative Justice: Healing Harms and Preventing Violence Among Youth" (conference sponsored by the School of Criminal Justice, University at Albany, and the United States Department of Justice, Office for Victims of Crime, April 14, 2000) (with Dennis Sullivan)

Organizer and Moderator, "Lessons from the Diallo Case--A Public Forum," University at Albany, February, 2000

Organizer, "The Death Penalty in New York: Law and Research in Action" (conference sponsored by the School of Criminal Justice, University at Albany, April 17, 1998)

Co-organizer, "'Zero Tolerance' Policing Initiatives: Legal and Policy Perspectives" (conference sponsored by the School of Criminal Justice, University at Albany, April 24, 1998) (with Wayne Logan)

Chair, Committee on Constitution and By-Laws, Academy of Criminal Justice Sciences (1991-1992)

Co-coordinator: "The Death Penalty: Perspectives on the Past and Future in New York State" (conference co-sponsored by School of Criminal Justice, University at Albany, *Albany Law Review* of Albany Law School, and SUNY Conversations in the Disciplines Program, April 5-6, 1991)

Rockefeller College Program in Advanced Public Management, Continuing Education Program, The Legal Process and Public Policy (with Professor Fred Cohen and the Honorable Howard Levine), November, 1985; July, 1984

Consultant, United Nations, Crime Prevention and Criminal Justice Branch, "Declaration on the Rights of Victims of Crime and Other Unlawful Conduct Related to the Abuse of Power," (with H.N. Karunaratne), 1984

Of Counsel (1980-1988): Loflin & Loflin
 Attorneys at Law
 Durham, North Carolina

Invited Presentations

"Ruth Bader Ginsburg and the United States Constitution: A Dialogue," Moderator and Discussant, University at Albany, September 2019

"The Court and the Constitution: The Times They Are A'Changing," University at Albany, September 2018

"The U.S. Constitution in Crisis," Moderator and Discussant, Roundtable, University at Albany, September 2017

"Justice Sotomayor and the Evolving Jurisprudence of Capital Punishment," Panel Discussion—U.S. Supreme Court Associate Justice Sonia Sotomayor: Her Opinions, Your Life, University at Albany, March 2017.

"False Confessions: A Panel Discussion," Albany Law School, April 2016

"The Death Penalty in the United States: Present, Past, and Future—A Case in Point," College of Saint Rose, April 2016.

"The Great Debate: *Fisher v. University of Texas Austin*—A Discussion Panel on Affirmative Action and Diversity in Higher Education," Albany Law School, March 2016.

"Wrongful Convictions," Warren M. Anderson Breakfast Seminar Series, Albany, NY, May 2015 (panelist)

- “Capital Punishment and the Boston Marathon Trial,” WAMC Radio (Alan Chartok, host), Albany, NY, April 2015
- “Finding Justice: A Conversation About Cops, Communities, and the Search for Common Ground,” University at Albany School of Criminal Justice, Justice and Multiculturalism in the 21st Century Project, and First Universalist Unitarian Society of Albany, Albany, NY, January, 2015
- “Marching in Time with the Death Penalty: (Re)Forms and (Dys)Functions,” Symposium on Restorative Justice and the Death Penalty, Utah Valley University, Orem, Utah, October, 2012
- “The Execution of Wanda Jean: Reflections on HBO Documentary,” School of Criminal Justice, New York State Writers Institute, University at Albany, October, 2012
- “Paradoxes of Capital Punishment,” School of Criminal Justice, Rutgers University, Newark, New Jersey, July, 2012
- “The Death Penalty and Innocence,” Centre for Criminology, University of Oxford, Oxford, England (Seminar), November, 2011
- “Capital Punishment: Lightning Strikes in Colorado,” Invited lecture, Cleere-Francis Lecture Series, University of Northern Colorado, Greeley, CO, April, 2010.
- “Execution Watch: Dale Devon Scheanette,” KPFT Radio Interview, Houston, TX, February, 2009
- “The Death Penalty Today: Recent Developments and Implications for the Future,” Albany Catholic Worker, Albany, NY, January, 2009
- “Leonel Herrera, Innocence, and Capital Punishment,” Capital Punishment Research Initiative, University at Albany Forum: “Norma Herrera, *Last Words From Death Row: The Walls Unit*,” October, 2007
- “Race to Execution—a Panel Discussion,” WMHT Public Television, Troy, NY, February, 2007
- “Campus Hate Speech and the First Amendment: A Public Forum” (Moot Court demonstration and discussion), University Senate Forum, University at Albany, March 2006.
- “University Senate Forum on the Solomon Amendment: A Panel Discussion,” University at Albany, November, 2005.

- “Making the Insanity Defense Sane: Revisiting New York’s Definition,” Annual Educational Conference, National Alliance for the Mentally Ill—New York State, Albany, NY, October, 2005.
- “‘Alice and Kafka are Dead: Long Live the Rosenbergs’—A Panel Discussion,” Union College, Schenectady, NY, September, 2005.
- Moderator, “Capital Punishment and the Law in New York State: A Debate,” sponsored by The Federalist Society, Capital District Lawyers Chapter and The Federalist Society, Albany Law School Student Chapter, Albany Law School, February, 2005
- Testimony, Public Hearing on the Death Penalty in New York, Committees on Codes, the Judiciary, and Correction, New York Assembly, Albany, January, 2005
- Commencement Address, University at Albany, December, 2004
- “A Seminar on the Death Penalty,” University at Albany Amnesty International and University at Albany Pre-Law Society, University at Albany, October, 2004
- “A Moot Court Experiment,” Center for Excellence in Teaching and Learning, University at Albany, February, 2004
- “The Role of Law in Shaping Public Policy: The Supreme Court and Affirmative Action in Higher Education,” University at Albany Pre-Law Association, November, 2003
- “The Death Penalty: Are Attitudes Changing?” League of Women Voters of Schenectady County, Schenectady Public Library, Schenectady, NY, November, 2002
- “At the Intersection of Mental Health and Death Penalty Issues,” Albany County Forensic Task Force, Capital District Psychiatric Center, Albany, NY, June, 2002
- “*People v. Darrel Harris*: Capital Punishment in New York,” The Center for Law and Justice, Ninth Annual Capital District Community Conference on Criminal Justice, Albany, NY, April, 2002
- “New York’s Death Penalty: Fairness Issues and Strategies for Change,” League of Women Voters, Albany Chapter, Albany, NY, April, 2002
- “Are There Geographic, Economic, and Racial Disparities in the Administration of New York’s Death Penalty?,” Annual Meeting of Delegates of the New York League of Women Voters, Albany, NY, December, 2001

- "The Empire State Strikes Back: New York's Struggle With Capital Punishment,"
Schenectady County Public Library Table Talk Series, Schenectady, NY,
December, 2000
- "Is There Justice in Criminal Justice? Race and Capital Punishment," The College of
Saint Rose, Albany, NY, November, 2000
- "The New Moratorium Movement," University at Albany Graduate Student Organization
Colloquium Series at the Alumni House, April, 2000
- "The Politics of Sentencing: A Community Forum on the Death Penalty and Sentencing
Reforms," Sponsored by the Center for Law and Justice, Albany, NY, December,
1996
- "The History and Future of Capital Punishment in New York State," Annual Meeting,
New Yorkers Against the Death Penalty, May, 1993
- "Capital Punishment," The Capital District Humanist Society, February, 1991
- "The Bundy Execution: Should New York State Be Next?" University at Albany,
Sponsored by The University at Albany Student Activities Office, 1989
- "A Debate on Capital Punishment," Pro: Professor Ernest van den Haag; Con: James
Acker. Co-sponsored: Hindelang Criminal Justice Research Center, the School of
Criminal Justice, and the Rockefeller Institute of Government, 1985
- "Crime and Individual Responsibility," University at Albany, Thursday Topics Lecture
Series, New York State Museum, 1983
- Speakers Bureau, University at Albany
- Speakers Bureau, American Civil Liberties Union
- Honors and Awards
- School of Criminal Justice Graduate Student Association Faculty Mentor Award, May,
2020
- University at Albany Alumni Association Excellence in Education Award, 2018
- University at Albany Collins Fellow, 2010
- State University of New York Chancellor's Award for Excellence in Faculty Service,
2005-06
- University at Albany Award for Excellence in Academic Service, 2006

State University of New York Chancellor's Award for Excellence in Teaching, 2002-03

University at Albany Award for Excellence in Teaching, 2002-03

Faculty Award for Excellence in Graduate Student Development, presented by School of Criminal Justice Graduate Student Association, May, 2001

Library Advocate Award, University at Albany Libraries, April, 2001

PhD Students' Dissertation Committees (Chair)

Edward Allan

Anne Bartol

Catherine Bonventre

Thomas Brewer

David Brody

Catherine Cerulli

Susan Ehrhard

Christine Englebrecht (co-chair)

Jamie Flexon

Naomi Freeman

Talia Harmon

Leona Jochnowitz

Charles Lanier

Giza Lopes (co-chair)

JoAnne Malatesta

Jeanna Mastrocinque

Judith McDonald

Robert Norris (co-chair)

Elizabeth Walsh

Kam Chow Wong

School of Criminal Justice Service

Interim Dean 2000-2002

Associate Dean 1991-1995; 2004-2006

Graduate Academic Advisor 1983-1991

Graduate Committee 2008-2011; 2012-2013 (Chair)

Search Committee, Post-Doctoral Appointment 2012-2013

Search Committee, Assistant Dean 2006

Search Committee, Student Services Administrator 2002 (Chair)

Search Committee, School of Business/School of Criminal Justice Faculty Position 2013-2014

External Review Committee 2013-2014

Admissions and Awards Committee 1999-2000; 1998-1999; 1990-1991 (Chair); 1989-1990 (Chair); 1988-1989; 1987-1988

Ad Hoc Committee on Guidelines for Promotion and Tenure and Equitable Contributions
2014 (Chair)

Ad Hoc Committee for Revision of Undergraduate Major (1999)

Undergraduate Admissions Committee 1997-1998 (Chair)

Undergraduate Committee 2018-19; 2017-18 (Chair); 2016-17 (Chair); 2015-16 (Chair);
2014-15 (Chair); 2006-07; 2005-06 (Chair); 2004-2005 (Chair); 1989-1990

Chair of Faculty 2015-16; 2013-14; 2009-10; 2007-08; 1998-2000

Ad Hoc Distinguished Dissertation Award Committee 2013; 2004 (Chair)

Ad Hoc Strategic Planning Committee 1998-1999 (Chair)

Ad Hoc Summer Workshop Committee 1988-1989 (Chair)

Personnel Committee 2017-18 (Chair); 2016; 2013-14 (Chair); 2010-11; 2008 (Chair);
2006-07 (Chair); 2003-04; 1995-96 (Chair); 1988-89

Faculty Search Committee 2006; 1996-1997 (Chair); 1995-1996 (Chair); 1988-1989

Curriculum Committee 2007-08 (Chair) 2003-04 (Chair); 1997-1998 (Chair); 1995;
1987-1988; 1984-1985

Ad Hoc Student Funding Procedures Committee 1987-1988 (Chair); 1984-1985 (Chair)

Student Performance Committee 2011-2012 (Chair); 1996-1997; 1986-1987; 1985-1986;
1984-1985

Faculty Advisor, Albany Criminal Justice Association 2005-09

Ad Hoc BA/MA Committee 1986-1987

Ad Hoc School Handbook Revision Committee 1985-1986 (Chair)

Rockefeller College Service

Rockefeller College Faculty Council 1988-1989, 1989-1990 (Chair)

Distinguished Dissertation Award Committee 1992-1994; 1985

University Service

Distinguished Professor Review Committee, 2019-

Middle States Commission on Higher Education Self-Study Work Group, Co-Chair,
Ethics and Integrity Standard, 2018-

University Grand Marshal, 2018-

Education Opportunity Program Review Committee, 2017

University at Albany-Albany Law School Affiliation Civil & Criminal Advocacy
Research Focus Group, 2016-2017

University Strategic Plan: Co-convener, Future of Criminal Justice, Law, and Security,
2016

Ad hoc Committee to Consider Legal Studies Minor, 2016-17

Selection Committee, Award for Excellence in Undergraduate Academic Advising, June
2016

SUNY Office of Diversity, Equity and Inclusion, Faculty Diversity Program Review
Committee 2016

SUNY Chancellor's Advisory Committee (Tenure and Promotion Art. 33 Appeal) 2015-
16

Advisory Council of Distinguished Faculty for the Presidential Initiatives Fund for
Research and Scholarship 2015, 2016

University at Albany-Albany Law School Advisory Committee 2014-15
 Search Committee for University at Albany Provost and Vice President for Academic Affairs (Co-chair) 2014-15
 Independent Review Committee, University Police Department (Chair) 2014-17
 Campus Advisory Committee on the UAlbany-CNSE Transition (Chair) 2013-15
 Transition in Vice-Provost for Undergraduate Education Advisory Committee (2013)
 Honors College Governing Board 2013-15
 Presidential Transition Advisory Committee, 2012-13
 Search Committee for University at Albany President, 2012
 Faculty Reviewer Panel, NY SUNY 2020 UAlbany Impact Proposals, 2012
 Facilities Master Plan Advisory Committee, 2011-12
 Provost's Advisory Committee for NY SUNY 2020 Academic Affairs Proposals, 2011
 University Budget Advisory Group (BAG 4), 2011
 Search Committee (Chair), Assistant Director of the Office of Regulatory Research Compliance; Project Staff Assistant for the Office of Regulatory Research Compliance, 2010-11
 NCAA Certification Committee (Academic Integrity Subcommittee), 2010-11
 University Budget Advisory Group (BAG 3), 2010
 University Strategic Planning Committee, 2009-10
 Undergraduate Education Task Force Co-chair
 Graduate Student Support Review Panel (Co-chair), 2009
 Provost's Budget Advisory Group for Academic Affairs (BAG 2), 2009
 University Budget Advisory Group (BAG 1), 2009
 President's Advisory Council on the Prevention of Sexual Assault, 2008-14
 Honorary Degree Advisory Committee, 2007-08; 2008-09
 Investigation Committee, Committee on Ethics and Research Scholarship (CERS), 2007
 Selection Committee for Excellence in Academic Service Award, 2006-07
 University Task Force on Sexual Assault, 2006-07
 President's Advisory Council on the Prevention of Alcohol Abuse and Other High Risk Behaviors, 2006-07; 2007-08
 Selective Investment Committee, 2006-07; 2005-06
 Search Committee for Provost and Executive Vice President for Academic Affairs, 2005
 Distinguished Service Professor and Distinguished Teaching Professor Review Committee, 2004, 2005, 2007-09, 2011-12 (Chair)
 Ad hoc Committee on University-Wide Governance (Chair), 2004
 Review Committee, Innovation in Teaching Awards, 2004
 Search Committee for Director of Research Compliance (Chair), 2003-04
 Review Committee for the Awards for Excellence in Teaching, 2003-04
 Council on Promotion and Continuing Appointment, 2003-2005
 Committee on Ethics and Research Scholarship, 2003-2005
 Pre-Law Advisory Committee, 2002-2005
 Council on Academic Freedom and Ethics (CAFE), 2002-03
 Search Committee for Assistant Police Chief, Night Commander, University Police Department, 2002

Search Committee for the Director of the Office of Diversity and Affirmative Action,
2001-2002

President's Task Force on Diversity, 2000-2002

University Police Department Advisory Committee, 2001-2005; 2008-2013

Search Committee for the Director of the Office of Affirmative Action (Chair), 1999-
2000

University Senate 1999-2000; 2002-2005

Undergraduate Academic Council (Chair), 1999-2000

Search Committee for the Dean of the School of Criminal Justice 1998-1999

University Commission for Affirmative Action 1998-2000

University Budget Panel 1993-1994; 1992-1993

Ad Hoc Committee on Negotiations for Recognition of Graduate Student Union/
Collective Bargaining Unit 1993

Anna Boochever De Beer Scholarship Committee 1985-1999

Law and Society Undergraduate Program Development Committee 1989-1990; 1988-
1989

Committee on the Bicentennial of the United States Constitution 1987-1988

Library Collection Development Advisory Committee 1986-1987; 1985-1986