Truth in Testimony Disclosure Form

In accordance with Rule XI, clause 2(g)(5)* of the *Rules of the House of Representatives*, witnesses are asked to disclose the following information. Please complete this form electronically by filling in the provided blanks.

Committee: _____

Subcommittee: _____

Hearing Date: _____

Hearing   **:**

Witness Name: _____

Position/Title: _____

Witness Type: ○ Governmental   ○ Non-governmental

Are you representing yourself or an organization?   ○ Self   ○ Organization

If you are representing an organization, please list what entity or entities you are representing:

FOR WITNESSES APPEARING IN A NON-GOVERNMENTAL CAPACITY
Please complete the following fields. If necessary, attach additional sheet(s) to provide more information.

Are you a fiduciary—including, but not limited to, a director, officer, advisor, or resident agent—of any organization or entity that has an interest in the subject matter of the hearing? If so, please list the name of the organization(s) or entities.

Please list any federal grants or contracts (including subgrants or subcontracts) related to the hearing's subject matter that you, the organization(s) you represent, or entities for which you serve as a fiduciary have received in the past thirty-six months from the date of the hearing. Include the source and amount of each grant or contract.

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Please complete the following fields. If necessary, attach additional sheet(s) to provide more information.

☐ I have attached a written statement of proposed testimony.

☐ I have attached my curriculum vitae or biography.

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* Rule XI, clause 2(g)(5), of the U.S. House of Representatives provides:

(5)(A) Each committee shall, to the greatest extent practicable, require witnesses who appear before it to submit in advance written statements of proposed testimony and to limit their initial presentations to the committee to brief summaries thereof.

(B) In the case of a witness appearing in a non-governmental capacity, a written statement of proposed testimony shall include— (i) a curriculum vitae; (ii) a disclosure of any Federal grants or contracts, or contracts, grants, or payments originating with a foreign government, received during the past 36 months by the witness or by an entity represented by the witness and related to the subject matter of the hearing; and (iii) a disclosure of whether the witness is a fiduciary (including, but not limited to, a director, officer, advisor, or resident agent) of any organization or entity that has an interest in the subject matter of the hearing.

(C) The disclosure referred to in subdivision (B)(iii) shall include— (i) the amount and source of each Federal grant (or subgrant thereof) or contract (or subcontract thereof) related to the subject matter of the hearing; and (ii) the amount and country of origin of any payment or contract related to the subject matter of the hearing originating with a foreign government.

(D) Such statements, with appropriate redactions to protect the privacy or security of the witness, shall be made publicly available in electronic form 24 hours before the witness appears to the extent practicable, but not later than one day after the witness appears.

False Statements Certification

Knowingly providing material false information to this committee/subcommittee, or knowingly concealing material information from this committee/subcommittee, is a crime (18 U.S.C. § 1001). This form will be made part of the hearing record.

_____   _____
Witness signature   Date

Written Testimony of

Melissa Hamilton, JD, Ph.D
Professor of Law & Criminal Justice
University of Surrey School of Law
England

Before the

United States House of Representatives
House Committee on the Judiciary
Subcommittee on Crime, Terrorism, and Homeland Security

Regarding

"The First Step Act, The Pandemic, and Compassionate Release:
What Are the Next Steps for the Federal Bureau of Prisons?"

January 21, 2022

Esteemed members: Thank you for your invitation to appear before you today.

I address herein the Prisoner Assessment Tool Targeting Risk and Needs (PATTERN), the risk and needs system that was created under the auspices of the First Step Act of 2018. The development and implementation of a risk tool with a large, national population is a tremendously difficult endeavor. In such a process, there are inevitably errors, disagreements, controversies, and trade-offs to be made.

As an academic, I do not advocate for or against the use of risk assessment tools in criminal justice settings. That choice is for policymakers with the difficult responsibility of making those decisions. Instead, the purpose is to highlight some pressing issues that PATTERN presents to inform policymakers, other stakeholders, and the public. It is noted first that transparency regarding PATTERN has waxed and waned. This could be due to issues of tight time deadlines and the pandemic. Notably, the most recent NIJ Review and Revalidation report of December 2021[1] provides a healthy amount of information. I will refer to it here as the NIJ Report. Many concerns, though, remain to be highlighted and resolved.

The Evolution of PATTERN

PATTERN evaluates males and females separately.[2] For each gender, there is a general recidivism scale (i.e., any rearrest) and a violent recidivism scale (i.e., any violent rearrest). Fifteen risk factors have been identified, though not all of them are used in each of the four scales (i.e., the four are male general, male violent, female general, and female violent). For each of the general and violent recidivism scales, scores are combined into four ordinal risk categories of minimum, low, medium, and high risk. The greater of the risk categories becomes the individual's final risk category. For instance, if an individual is classified as medium risk in the general scale and low risk in the violence scale, the individual is assigned a final category of medium risk.

PATTERN has undergone various iterations. Using the numbering system employed in the NIJ Report, four versions have existed:

- The initial draft of PATTERN was publicly released in July 2019.[3]
- PATTERN 1.2 was a revision following receipt and consideration of comments from listening sessions with stakeholders and solicitations of public feedback. PATTERN 1.2 was approved for use by the Attorney General and has been used to score individuals in Bureau of Prisons (BOP) custody from January 2020 onward.
- PATTERN 1.2-R corrected for "typos" identified in the BOP scoring sheets so that the tool in practice was the version approved for use.[4] The risk level categories currently assigned to prisoners in the BOP are based on PATTERN 1.2-R.

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[1] National Institute of Justice, 2021 Review and Revalidation of the First Step Act Risk Assessment Tool (December 2021), https://nij.ojp.gov/library/publications/2021-review-and-revalidation-first-step-act-risk-assessment-tool [hereinafter NIJ Report 2021].
[2] There are substantive, legitimate reasons (scientifically and legally) to differentiate by gender as studies consistently indicate that the risk profiles and likelihood of recidivism vary significantly for males versus females.
[3] Department of Justice, The First Step Act of 2018: Risk and Needs Assessment System (2019), https://nij.ojp.gov/sites/g/files/xyckuh171/files/media/document/the-first-step-act-of-2018-risk-and-needs-assessment-system_1.pdf.
[4] NIJ Report 2021, at 7.

- PATTERN 1.3 is a version offered in the December 2021 NIJ Report that (i) corrects for additional errors the newly installed consultants discovered existing within PATTERN 1.2 (and 1.2-R) and (i) rehauls certain of the risk factors, weights, scoring sheets, definitions, and sources of data from which to draw. PATTERN 1.3 is not in use as the NIJ reported that details about it were issued to begin discussions with the Independent Review Committee and others, with the potential of later being proposed to the Attorney General for approval.[5] Only at that time will the BOP implement an update in lieu of PATTERN 1.2-R.

Errors in PATTERN

At present, the BOP assigns prisoners the risk category levels produced by PATTERN 1.2-R. As indicated above, the reason given is that it represents the version approved to date by the Attorney General. Yet, the NIJ Report makes clear that this version (1.2-R) contains many errors and that, as a result, 10.9% of males and 9.8% of females have been given incorrect overall PATTERN risk categories as a result.[6] In other terms, as of late 2020, a total of 14,170 prisoners have been assigned erroneous final risk categories.[7] The BOP has no plans to correct these errors until a new version of PATTERN (such as the proposed version 1.3) is formally approved by the Attorney General.[8]

A summary of these errors from NIJ publications include these:

- Four errors in scoring or cut-point: (1) point values for the infraction-free (serious and violent) item for the violent male scale, (2) point values for the infraction-free (serious and violent) item for the general recidivism female scale, (3) point values for the criminal history score for the violent recidivism female scale, (4) the cut-points for the general recidivism male scale.[9]

- The initial version of the tool was developed based on a statistical model that scored a vast majority of the risk factors *at the time of one's release from custody* rather than what was specified in the formal publications which designed these factors to be scored *at the time of the individual's last assessment* (which typically would occur some period of time before release). As a simple example of why this may matter, consider a risk factor regarding the individual's age. One's age at the time of release will be older than at the time of an in-custody assessment, and this difference may have changed the scoring on this age-related risk factor. An earlier (published in 2020) NIJ publication admits the broader issue: "Because the empirical models were estimated using different versions of these variables, it may have influenced the coefficients obtained and the item weights assigned."[10] In other words, this definitional discrepancy across risk factors called into question the efficacy of the entire scoring system.

- There were irregularities in the tool's intended function and what occurred in practice in scoring the number of prison disciplinary infractions the individual had (impacting four risk factors). The

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[5] NIJ Report 2021, at 47.
[6] NIJ Report 2021, at 7.
[7] National Institute of Justice, 2020 Review and Revalidation of the First Step Act Risk Assessment Tool 7-8 tbls. 1-2 (January 2021), https://www.ojp.gov/pdffiles1/nij/256084.pdf [hereinafter NIJ Review 2020].
[8] A group of 1,745 individuals whose scores were impacted by the scoring "typos" corrected in PATTERN 1.2-R were rescored and their risk levels updated. NIJ Review 2020, at 10 n. 39.
[9] NIJ Review 2020, at 5.
[10] NIJ Review 2020, at 6.

difference was whether to count infractions no matter how old or only those occurring within the last 10 years. Then BOP personnel also counted infractions when individuals were in pretrial and holdover stages, whereas PATTERN 1.2 would exclude infractions during those types of custody. The NIJ sums up the problem: "This means that as BOP is implementing PATTERN 1.2, they are currently scoring these infraction variables differently than were modeled in the reported PATTERN 1.2, which may have an impact on the utility of these two measures."[11]

- The developmental study improperly defined several risk factors: (i) the number of programs completed was inadvertently counted as the number of programs in which the person participated (regardless of completion), (i) counted participation in UNICOR as a multiplier of the number of days in UNICOR rather than treating participation in UNICOR as one program regardless of number of days, and (iii) counted participation in drug treatment while imprisoned as having completed only a nonresidential drug treatment program for individuals who had completed both residential and nonresidential programs. As per an NIJ publication the potential impact is this: "Given that the empirical models were estimated using different constructs of the variables, the factor selection and weighting may have resulted in a scoring and risk assessment scheme that would be different if the correct versions of these variables were included."[12]

As a consequence of such errors, officials called off the initial revalidation of PATTERN.[13] A revalidation was eventually conducted, with findings published in the (December 2021) NIJ Report. The results indicated that the various errors meant that 37 out of the possible 60 items (almost two-thirds of them) had been incorrectly weighted.[14] Due to these errors, according to the NIJ Report, overall, 11% of the BOP population was placed in the wrong risk category. This proportion may be on the low end. The NIJ Report also indicates a significant problem with reliability in that BOP personnel incorrectly scored and classified more than 20% of the BOP population.[15] An automated system has been developed to improve reliability. However, it is unclear when/if the misclassifications from manual scoring will be remedied.

In sum, as the flawed PATTERN 1.2-R continues to be used, erroneous risk level classifications appear to be continuing to this day.

An Issue with Revalidation

The (December 2021) NIJ Report labels itself a "Revalidation of the First Step Act Risk Assessment Tool." This terminology is curious considering the differences between the versions of PATTERN: the one that has been and is currently used in practice to score individual risk levels (version 1.2-R) and the modified version proposed for adoption (version 1.3). While such Report provides some information on the empirical performance of PATTERN 1.2-R, the vast majority of the statistical measures provided are for

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[11] NIJ Review 2020, at 6.
[12] NIJ Review 2020, at 6.
[13] NIJ Review 2020, at 6. Other problems plagued the developmental study. For example, the initial publication indicated that individuals who had died after release and before the end of the follow-up period were excluded, but in fact they were not. NIJ Review 2020, at 3 n.9.
[14] There are 15 possible risk factors and four scales (male general, male violence, female general, female violence) and thus up to 60 (15 x 4) items.
[15] NIJ Report 2021, at 8.

PATTERN 1.3. Hence, this NIJ Report in reality seems more of a validation of the new PATTERN version 1.3.

Preference for False Positives

PATTERN operates with significant rates of error and disproportionately prefers false positives over false negatives. A false positive is the incorrect prediction of higher risk (i.e., a person classified as high risk is not rearrested), whereas a false negative is the incorrect prediction of lower risk (i.e., a person classified as low risk was rearrested). This means that a choice has been made to design the tool to perform far less accurately when predicting those who are at higher risk—which means placing too many individuals into the higher risk groupings than necessary.

The preference for a high proportion of false positives is not a necessary one dictated by any scientific principles. As the First Step Act was designed, there is little danger to the public of incorrect predictions as the risk assessment outcomes are not meant to lead to immediate release. Indeed, even with earned time credits, the individual's sentence is not shortened. Instead, the predictions relate to who is given more robust incentives to engage with rehabilitative programming and who might earn a change in the type of prerelease custody. Thus, a policy directive could be given to recalibrate PATTERN to reduce the numbers of false positives, which in turn would increase the number of individuals who are eligible to work toward earned time credits.

Racial and Ethnic Differences

The NIJ Report informs that PATTERN does not perform equally based on race and ethnicity. The new NIJ consultants deserve praise for helpfully providing multiple metrics and for showing results across various groupings. Still, using the conclusions of the Report itself, the tool overpredicts the general risk for African Americans, Hispanic Americans, and Asian Americans, while it underpredicts for Native Americans. An explanation given for the underprediction of Native Americans is the lack of information to score this group on criminal history and on recidivism considering tribal reservations generally have not been required to provide arrest information to the National Law Enforcement Telecommunications System.[16]

There are also differences in the rates at which PATTERN assigns individuals to risk classifications based on race, as indicated in Table 1, and by ethnicity in Table 2 (utilizing abbreviated race/ethnic labels assigned by the DOJ in the publication from which these statistics are derived).[17] Note that Table 1 includes within each racial category those who are also identified as Hispanic (or not) (e.g., white Hispanic, black Hispanic).

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[16] NIJ Report 2021, at 43 n. 55.

[17] Statistics obtained from Department of Justice, Federal Prisoner Statistics Collected under the First Step Act, 2021, at 16 tbl. 10 (November 2021, NCJ 301582), https://bjs.ojp.gov/content/pub/pdf/fpscfsa21.pdf. The Asian category also includes Native Hawaiian and other Pacific Islander. The American Indian category also includes Alaska Native.

Table 1

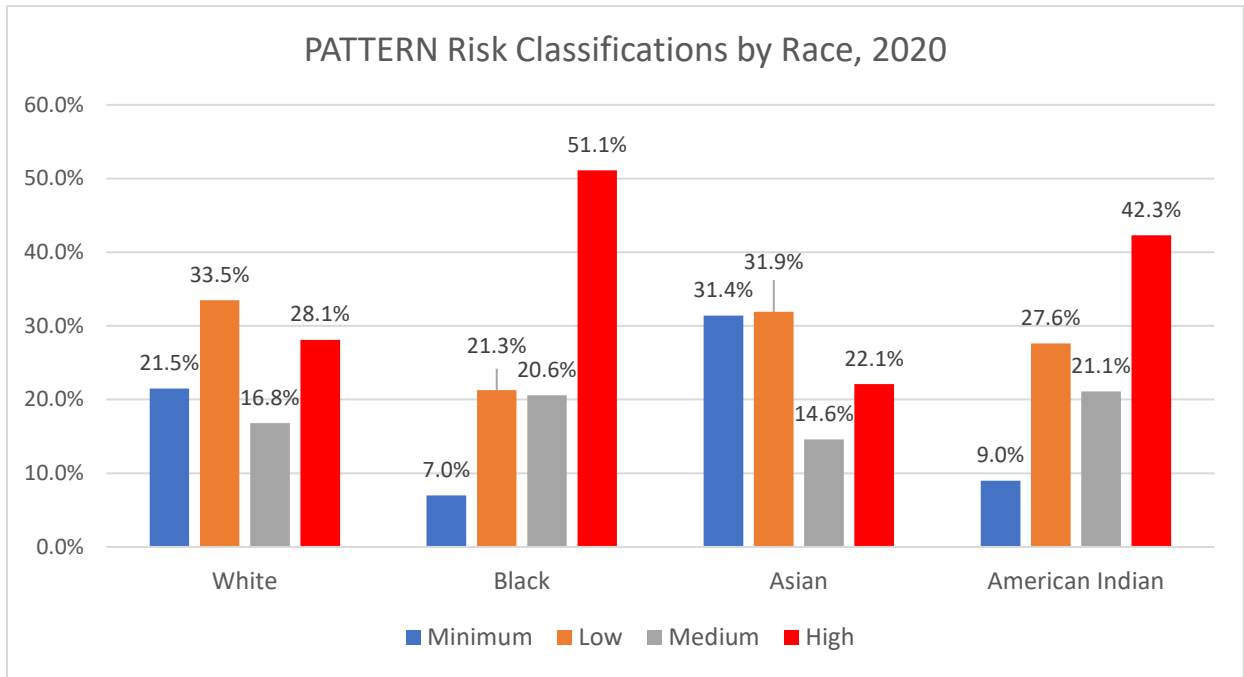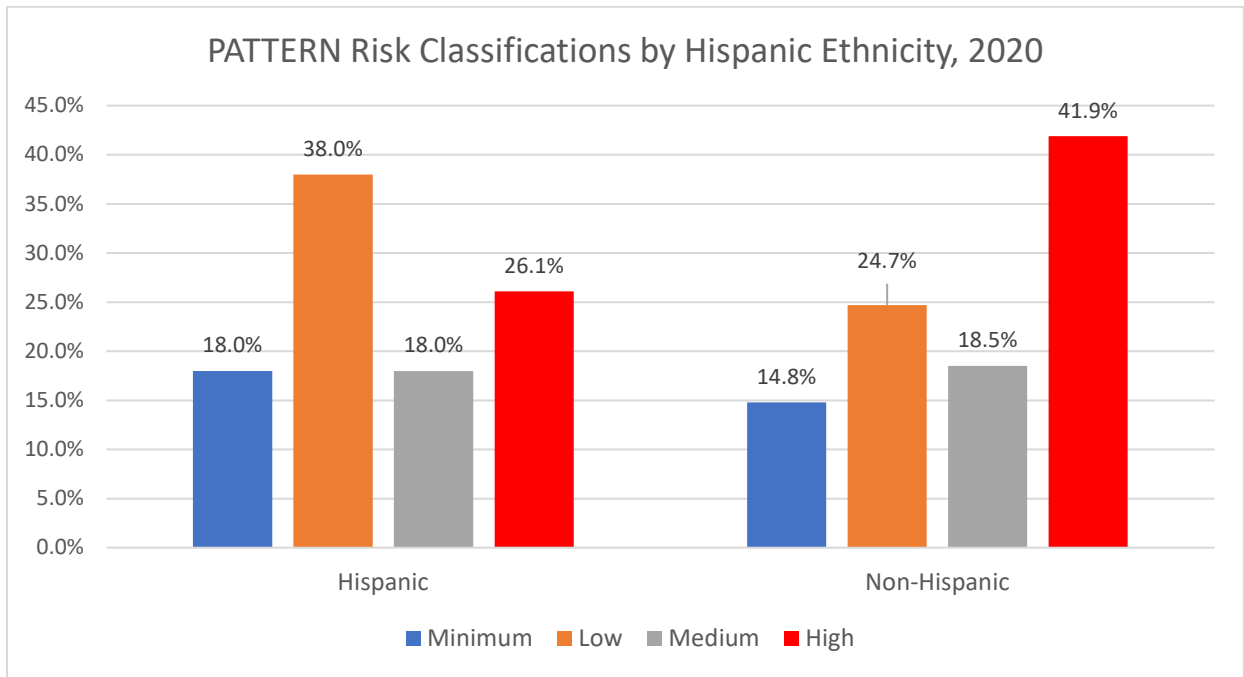## PATTERN Risk Classifications by Race, 2020

Table 1 shows that PATTERN classifies African Americans as high risk at a disproportionate rate (51%) compared to other groups, such as 28% of Whites and 22% of Asians.

Table 2

PATTERN Risk Classifications by Hispanic Ethnicity, 2020

Concerning potential racial/ethnic differences overall, I concur with these comments in the NIJ Report: "multiple definitions of racial fairness exist, and that in real-world applications, these notions of fairness

conflict" and "a tool cannot satisfy all definitions of fairness."[18] When recidivism rates vary across groups, one or more of the standards for racial fairness are likely to be violated. Nonetheless, further work can be done toward ameliorating these potential disparities, which the NIJ Report suggests.

PATTERN Risk Levels and Compassionate Release

The deployment of PATTERN as an informational point in determining who to release for compassionate reasons and/or COVID represents an off-label use. The tool was not designed or validated for such a purpose.

Needs System

PATTERN is not itself a needs system.[19] Instead, the BOP is relying, and purportedly improving, upon its preexisting policies and practices of identifying individual needs.[20] This means that to date there has been no (publicly known) validation of the needs aspect of the broader system. The BOP states that it is working to identify appropriate programs. At this time, though, a significant divide exists between program availability and individual demand in many BOP facilities.[21] The result is a sort of lottery system whereby the luck of the draw in facility placement means some individuals will have a greater access to achieving earned time credits than others.

Release of Datasets for Independent Evaluation

The NIJ Report is helpful in providing a host of various statistics to provide outsiders a better understanding of PATTERN. However, this is not a fully acceptable alternative to making publicly available an anonymized version of the dataset(s) for independent researchers. I have discovered various statistical and textual errors in the NIJ Report itself. As with the revelation of problems in the initial PATTERN development by new consultants, verification of the work of these consultants might well be better confirmed by others.

Final Thoughts

In conclusion, I remain hopeful that there is a path for Congressional intent to be realized with the First Step Act. This will require continued efforts to correct the current inaccurate ratings, brainstorm on ways to reduce disparities, supplement the availability of programs, and to validate the needs component.

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[18] NIJ Report 2021, at 44.

[19] Department of Justice, The Attorney General's First Step Act Section 3634 Annual Report (December 2020), https://www.bop.gov/inmates/fsa/docs/20201221_fsa_section_3634_report.pdf.

[20] Department of Justice, The Attorney General's First Step Act Section 3634 Annual Report, at Section II (December 2020), https://www.bop.gov/inmates/fsa/docs/20201221_fsa_section_3634_report.pdf.

[21] Department of Justice, The Attorney General's First Step Act Section 3634 Annual Report 17-18 tb. 11 (December 2020), https://www.bop.gov/inmates/fsa/docs/20201221_fsa_section_3634_report.pdf.

MELISSA HAMILTON, JD; PHD

32 Lombard Wharf
12 Lombard Road
London, UK SW11 3FU
cell (+44) 07934 845947
mhamiltonp@att.net

University of Surrey School of Law
The Frank Whittle Building, 04AB05
Guildford, Surrey, UK GU2 7XH
melissa.hamilton@surrey.ac.uk

EDUCATION

2006   Ph.D, The University of Texas at Austin, Sociology
Comprehensive Exams Passed: Criminology & Criminal Justice
Univ. Fellowship (2001-06)
Grad. Res. Ass't, Cntr. for Criminology & Crim. Just. Res.

1989   J.D., The University of Texas at Austin School of Law, *cum laude*
Order of the Coif
Associate Editor, *Texas Law Review*
Outstanding Intellectual Property Note Award, *Texas Law Review*
Chancellor (awarded to highest 8 GPA of 1L class of 500+)

JUDICIAL CLERKSHIP

1990-91   Judge Sam Johnson, United States Court of Appeals for the Fifth Circuit

ACADEMIC POSITIONS

2017-   Professor of Law & Criminal Justice, University of Surrey School of Law
    Reader in Law & Criminal Justice (2019-2021)
    Senior Lecturer in Law & Criminal Justice (2017-19)
    Positions:
      Surrey AI Fellow, Surrey Institute for People-Centred AI (2021-)
      Deputy Chair, Surrey Impact Leads Network (2021-)
      Impact Lead (2017-)
      School Research Committee (2018-)
      Member, Law & Technology Hub (2019-)
      Gender Equity Self-Assessment Team (2018-2020)
      Academic Integrity Officer (2017-18)

2013-17   Visiting Criminal Law Scholar, University of Houston Law Center

2012-13   Visiting Assistant Professor of Law, University of Houston Law Center

2010-12   Visiting Assistant Professor of Law, University of South Carolina Law

2007-10   Assistant Professor of Law, University of Toledo College of Law

2006-07   Lecturer, Texas State University, Dep't of Crim. Justice

2006   Adjunct, University of Texas–San Antonio, Dep't of Crim. Justice

2003-06   Assistant Instructor, The University of Texas at Austin, Sociology

Select Courses taught: Criminal Law; Criminal Procedure; Criminal Justice; Death Penalty; Sentencing; Corrections Law; Terrorism; Domestic Violence and the Law; The

Wire: Crime, Law, and Public Policy; Advanced Criminal Justice Management; Deviance and Difference

Outstanding Professor Award for Excellence in Teaching, Black Law Students Association

<u>SCHOLARSHIP</u>

I. Articles, Books, Chapters

36. *Algorithmic Risk Assessment: A Progressive Policy in Pretrial Release*, 57 IDAHO L. REV. (forthcoming 2021) (symposium issue on mass incarceration)

35. *Sentencing Drug Offenders*, 23 FED. SENT'G REP. 12 (2021) (symposium issue on drug sentencing and its contribution to mass incarceration)

34. *Investigating Algorithmic Risk and Race*, 5 UCLA CRIM. JUST. L. REV. 53 (2021)

33. *Competence to Stand Trial Ingredients: The Role of Neuroscience*, 15 J. L. & PUB. POL'Y 259 (2021) (symposium issue on neurolaw, co-authored)

32. *Evaluating Algorithmic Risk Assessment*, 24 NEW CRIM. L. REV. 156 (2021) (peer-reviewed, theme issue on criminal investigation and pretrial procedure)

31. Book chapter: *Predictive Policing through Risk Assessment, in* POLICING AND ARTIFICIAL INTELLIGENCE (John McDaniel & Ken Pease eds., Routledge, 2021)

30. *Judicial Gatekeeping on Scientific Validity with Risk Assessment Tools*, 38 BEHAV. SCI. & L. 226 (2020) (invited, peer-reviewed, special issue on risk assessment in sentencing)

26. Book chapter: *Coercive Control: A Case Study on Overcriminalisation*, in THE PHILOSOPHY OF LEGAL CHANGE: THEORETICAL PERSPECTIVES AND PRACTICAL PROCESSES (Maciej Chmieliński & Michał Rupniewski eds., Routledge, 2020) (invited, peer-reviewed)

29. *Debating Algorithmic Fairness*, 52 U.C. DAVIS L. REV. ONLINE 261 (2019)

28. *The Sexist Algorithm*, 37 BEHAV. SCI. & L. 145 (2019) (peer-reviewed)

27. *The Biased Algorithm: Disparate Impact for Hispanics*, 56 AM. CRIM. L. REV. 1553 (2019)

25. *A Threat Assessment Framework for Lone-Actor Terrorists*, 70 FLA. L. REV. 1319 (2018)

24. *Sentencing Disparities*, 6 BRIT. J. AM. LEG. STUD. 177 (2017) (peer-reviewed)

23. *Briefing the Supreme Court: Promoting Science or Myth?*, 67 EMORY L.J. ONLINE 2021 (2017)

22. *Excessive Lethal Force*, 111 NW. U. L. REV. 1167 (2017)

21. *Constitutional Law and the Role of Scientific Evidence*, 58 B.C. L. REV. E. SUPP. 34 (2017)

20. *Extreme Prison Sentences: Legal and Normative Consequences*, 38 CARDOZO L. REV. 59 (2016)

19. *Some Facts about Life: The Law, Theory, and Practice of Life Sentences*, 20 LEWIS & CLARK L. REV. 803 (2016)

18. Book Chapter: *Political and Empirical Controversies in Federal Sentencing: Debating the Child Pornography Sentencing Guidelines, in* REFINING CHILD

PORNOGRAPHY LAW: CRIME, LANGUAGE, AND SOCIAL CONSEQUENCES (Carissa Byrne Hessick ed., Michigan Press, invited, 2016) (peer-reviewed)

17. *Risk- Needs Assessment: Constitutional and Ethical Challenges*, 52 AM. CRIM. L. REV. 231 (2015)

16. *The Reliability of Assault Victims' Immediate Accounts: Evidence from Trauma Studies*, 26 STAN. L. & POL'Y REV. 269 (2015) (symposium, invited)

15. *Adventures in Risk: Predicting Violent and Sexual Recidivism in Sentencing Law*, 47 ARIZ. ST. L.J. 1 (2015)

14. *Back to the Future: The Influence of Criminal History on Risk Assessment*, 20 BERKELEY J. CRIM. L. 75 (2015) (peer-reviewed)

13. *McSentencing: Mass Federal Sentencing and the Law of Unintended Consequences*, 35 CARDOZO L. REV. 2199 (2014)

12. *Prison-by-Default: Challenging the Presumption of Prison in Federal Sentencing*, 51 HOUS. L. REV. 1271 (2014) (symposium, invited)

11. *Sentencing Policy Adjudication and Empiricism*, 30 GA. ST. U.L. REV. 375 (2014)

10. *Adjudicating Sex Crimes as Mental Disease*, 33 PACE L. REV. 536 (2013)

9. *The Child Pornography Crusade and its Net Widening Effect*, 33 CARDOZO L. REV. 1679 (2012) (reprinted in CRIMINAL LAW AND THE REGULATION OF VICE 743-787 (Franklin E. Zimring & Bernard Harcourt eds., 2nd ed. 2014))

8. *Reinvigorating Actus Reus: The Case for Involuntary Actions by Veterans with Post-Traumatic Stress Disorder*, 16 BERKELEY J. CRIM. L. 340 (2012) (peer-reviewed)

7. *Sex Disparities in Arrest Outcomes for Domestic Violence*, 26 J. INTERPERSONAL VIOLENCE 1559 (2011) (first author) (peer-reviewed)

6. *Public Safety, Individual Liberty, and Suspect Science: Future Dangerousness Assessments and Sex Offender Laws*, 83 TEMPLE L. REV. 697 (2011)

5. *The Efficacy of Severe Child Pornography Sentencing: Empirical Validity or Political Rhetoric?*, 22 STAN. L. & POL'Y REV. 545 (2011)

4. *Judicial Discourses on Women's Resistance to Domestic Violence*, 33 WOMEN'S STUD. INT'L F. 570 (2010) (peer-reviewed)

3. EXPERT TESTIMONY ON DOMESTIC VIOLENCE (2009) (book, invited, peer-edited)

2. *Judicial Discourses Involving Domestic Violence and Expert Testimony*, 67 DISSERTATION ABSTRACTS INT'L 505 (2006) (dissertation) (peer-reviewed)

1. *Software Tying Arrangements under Antitrust Laws*, 71 DENVER U.L. REV. 607 (1994) (symposium)

II. Supplemental Writings

20. Issues paper on the Effectiveness of Sentencing Options, commissioned by the (UK) Sentencing Academy (2020)

19. *Risk Assessment Tools in the Criminal Legal System – Theory and Practice: A Resource Guide*, commissioned and adopted by the National Association of Criminal Defense Lawyers (2020) (white paper), https://www.nacdl.org/Document/RiskAssessmentReport

18. *Overcriminalization*, John Howard Society Blog (Sept. 28, 2017)

17. *Policing and Terrorism*, Comparative Law Blog (Sept. 17, 2017)

16. *Is Crime Going Up or Down in England and Wales? What Crime Statistics Actually Tell Us*, THE CONVERSATION (U.K.) (July 27, 2017); updated version on POLICING INSIGHT (Nov. 1, 2017)

15. *The Supreme Court Made it Harder for States to Ban Sex Offenders from Social Media: Here's Why*, NEWSWEEK.COM (July 21, 2017)

14. *We Use Big Data to Sentence Criminals. But can the Algorithms Really Tell Us What We Need to Know?*, THE CONVERSATION (June 5, 2017)

13. *Police Robots and the Law*, 34(5) WESTLAW J. COMPUTER & INTERNET 3 (2016)

12. Book Review: LEAVING PROSTITUTION: GETTING OUT AND STAYING OUT OF SEX WORK, by Sharon S. Oselin, Rutgers' Criminal Law and Criminal Justice Books (July 2014), http://clcjbooks.rutgers.edu/books/beyond-explicit.html (peer-edited)

11. Editorial Introduction, *Sentencing Policy Disputes*, 13 CRIMINOLOGY & PUB. POL'Y 237 (2014) (invited, peer-edited)

10. Book Review: BEYOND EXPLICIT: PORNOGRAPHY AND THE DISPLACEMENT OF SEX by Helen Hester, Rutgers' Criminal Law and Criminal Justice Books (May 2014) (invited, peer-edited)

9. Book Review: BLACK ROBES, WHITE COATS: THE PUZZLE OF JUDICIAL POLICYMAKING AND SCIENTIFIC EVIDENCE by Rebecca C. Harris, 43 LAW & SOC'Y REV. 949 (2009) (invited)

8. Entries: "Self-Defense"; "Prison Gangs and Violence"; "Suicide by Cop"; "Prison Violence by Inmates"; "The National Crime Victimization Survey"; "Stress and Violence"; "12-Step Programs"; "Alcoholics Anonymous", *in* ENCYCLOPEDIA OF INTERPERSONAL VIOLENCE (Claire M. Renzetti & Jeffrey L. Edleson eds.) (2008)

7. *Phony 'Parmenidean' Practices: Aon's Place in the Insurance Litigation Expose*, 27 INS. LITIG. REP. 341 (2005) (first author)

6. *Spitzer v. MarshMac*, 27 INS. LITIG. REP. 277 (2005) (second author)

5. *Marsh & McLennan: Some More Brief History before the Spitzer Scandal – Part B: Putnam, Trident, and Mercer*, 27 INS. LITIG. REP. 197 (2005) (first author)

4. *Marsh & McLennan: Some Brief History before the Spitzer Scandal – Part A: The Insurance Side of the Business*, 27 INS. LITIG. REP. 125 (2005) (first author)

3. TRAVIS COUNTY JUVENILE DRUG COURT: A REPORT ON PROGRAM PROCESS, Ctr. for Criminology & Crim. Just. Res. (2002) (third author)

2. *The Dark Side of the Computer Age*, 3 BUS. L. TODAY 50 (1993)

1. *Computer Viruses and Legal Risks*, 12 CORP. COUNS. REV. 1 (1993)

PRESENTATIONS

2021   Co-presenter, *A Defense Attorney's Introduction to Using the Commission's Datafiles*, U.S. Courts, Defender Services Office, Training Division (national webinar)

2021   Organizer and presenter, *Improving Responses to Sexual Assault*, ESRC Festival of Social Sciences, London (virtual, 152 global attendees)

2021	Presenter, *Beyond Prisons for Women: Overview of Research*, American Probation & Parole Association annual training institute, Washington, DC (virtual)
2021	Presenter, *Sentencing Drug Offenders*, Understanding Drug Sentencing symposium, Drug Enforcement and Policy Center, Ohio State University (virtual)
2021	Expert, *Transparency Practices for Qualitative Legal Research*, Professional development panel, Law & Society Association conference (virtual)
2021	Presenter, *The Role of Trauma in Domestic Abuses Cases*, Surrey Magistrates Association, London (virtual)
2021	Presenter, *Sentencing Drug Offenders: Evidence of Growing Leniency*, Law & Society Association conference (virtual)
2021	Presenter, *Algorithmic Risk Assessment*, Incarcerating the Masses symposium, Idaho Law Review (virtual)
2021	Webinar presenter, *Risk Assessment Practices in the Criminal Legal System*, hosted by the National Association of Criminal Defense Lawyers (nationwide audience of defense counsel)
2020	Presenter, *Risk Assessment Practices in Criminal Justice*, Clemency Project, University of Minnesota School of Law, Minneapolis, Minnesota (virtual)
2020	Co-Presenter, *Competence to Stand Trial and Neuroscience*, Symposium on Neuroscience and the Law, University of St. Thomas School of Law, St. Paul, Minnesota (virtual)
2020	Plenary, *Advocacy Strategies to Address Racially Disparate Impact of Risk Assessment Tools*, Race in the Federal Courts Conference, U.S. Administrative Office for the Courts, New Orleans, Louisiana
2019	Presenter, *Best Practices in Risk Assessment for Intimate Partner Violence*, Idaho Threat Assessment Conference, Boise, Idaho
2019	Chair of panel and presenter, *Algorithmic Fairness in Risk Assessment*, annual conference, Law & Society Association, Washington, D.C.
2019	Presenter, *Risk Assessment Practices for Sexual Offenders*, annual conference of Texas Association Against Sexual Assault, San Antonio, TX
2019	Presenter, *Best Practices in Risk Assessment in Intimate Personal Relationships* and *Sex Offender Policies and Management*, Conference on Crimes Against Women, Dallas
2019	Presenter, *Algorithmic Risk Assessment in Criminal Justice Favoring the Rich*, Rich Law, Poor Law international conference, sponsored by the Socio-Legal Studies Association, London
2019	Presenter, *The Relationship Between Well-Being and Crime*, FASS Festival of Research, University of Surrey, Guildford
2018	Faculty presenter and facilitator, *Full Court Press Advanced Expert Witness Training 7.0*, Inst. on Domestic Violence & Sexual Assault Res., Sponsored by Crim. Just. Div., Off. of Texas Governor, Lufkin, TX
2018	Presenter, *Algorithmic Risk in Sentencing Processes*, and Delegate, Sentencing Research Seminar before the Sentencing Council for England and

Wales and the Centre for the Study of Legal Professional Practice, London

2018   Invited presenter, *Unintended Consequences of Laws and Policies in Family Abuse Cases*, FNF Domestic Violence and Child Welfare Workshop, London

2018   Presenter, *The Biased Risk Assessment Algorithm*, Society for Legal Scholars Annual Conference, London

2018   Faculty presenter and facilitator, *Full Court Press Advanced Expert Witness Training 6.0*, Inst. on Domestic Violence & Sexual Assault Res., Sponsored by Crim. Just. Div., Off. of Texas Governor, Brownsville and San Antonio, TX

2018   Presenter, *Threat Assessment Framework for Lone-Actor Terrorists* and *Risk Assessment Practices*, Law & Society Association Conference, Toronto, Canada

2018   Presenter, *Threat Assessment Framework for Lone-Actor Terrorists*, Socio-Legal Studies Conference, Bristol, UK

2018   Panel member, *Regulation of Artificial Intelligence Workshop*, sponsored by IBM, University of Surrey, Guildford, UK

2018   Invited presenter, *Overview of Risk Assessment*, Task Force on Risk Assessment, National Association of Criminal Defense Lawyers (via AdobeConnect)

2017   Plenary, *Risk Needs Assessments*, International Association of Corrections and Prisons, London

2017   Presenter, *Risk-Needs Assessments: Benefits and Challenges*, International Association of Correctional Training Personnel Annual Training Conference, Cleveland, Ohio

2017   Paper presenter, *UK Coercive Control Statement: Excessive Legislation*, Manchester Centre for Political Theory Workshops, Manchester, UK

2017   Featured speaker, *Confronting the "Junk Science" Officials Promote Concerning Risk*, NARSOL National Conference, Atlanta, GA

2017   Co-presenter, *Translating Doubt into Conviction Through Expert Witnesses*, National Crimes Against Women Conference, Dallas, TX

2017   Faculty presenter and facilitator, *Full Court Press Advanced Expert Witness Training 5.0*, Inst. on Domestic Violence & Sexual Assault Res., Sponsored by Crim. Just. Div., Off. of Texas Governor, Corpus Christi, Belton, Austin, Houston, and Fort Worth, TX

2016   Paper presenter, *Individual and Regional Disparities in Sentencing*, Academics Committee Roundtable, ABA Criminal Justice Section, Washington, D.C.

2016   Presenter, *The Law and Science of Risk Assessments*, American Psychology-Law Association annual conference, Atlanta, GA

2016   Faculty presenter and facilitator, *Full Court Press Advanced Expert Witness Training 4.0*, Inst. on Domestic Violence & Sexual Assault Res., Sponsored by Crim. Just. Div., Off. of Texas Governor, Bastrop, TX

2015   Paper presenter, *Life Sentences in Law, Theory, and Practice*, Academics Committee Roundtable, ABA Criminal Justice Section, Washington, D.C.

2015	Co-plenary, *Federal Risk Assessment Practices*, Annual Seminar, Federal Defenders, Southern Dist. of Texas, Corpus Christi, TX
2015	Co-presenter, Segments on *Overview of Risk Assessment*; *Validation Issues*; and *Risk Assessment in the Federal System*, National Forensics College, New York
2015	Faculty presenter and facilitator, *Full Court Press 3.0 Advanced Expert Witness Training*, Inst. on Domestic Violence & Sexual Assault Res., sponsored by Crim. Just. Div., Off. of Texas Governor, Bastrop, TX
2015	Debater, *Universal DNA Database*, sponsored by the Federalist Soc'y, University of Houston Law Center
2014	Invited speaker, *The Law and Science of Domestic Abuse*, Williamson Cty. Dist. Atty's Office, Round Rock, TX
2014	Plenary, *Law and Science of Risk Assessment*, and Invited Speaker, *Federal Child Pornography Offenses*, Nat'l Seminar, Reform Sex Offender Laws, Dallas, TX
2014	Invited speaker, *Adventures in Risk: Predicting Recidivism*, and Invited Speaker, *Prison by Default: Challenging the Presumption of Imprisonment,* Nat'l Seminar, Federal Defenders, Cleveland, OH
2014	Faculty presenter and facilitator, *Full Court Press Expert Witness Training*, Inst. on Domestic Violence & Sexual Assault Res., sponsored by Crim. Just. Div., Off. Texas Governor, Austin, TX
2014	Invited speaker, *Debunking Common Myths Underlying Sex Offender Laws and Policies*, Texas Voices for Reason Conference, Dallas, TX
2013	Presenter, *Federal Sentencing Practices Post-Booker*, symposium sponsored by the Hous. L. Rev. and the Crim. Just. Inst., University of Houston Law Center
2013	Debater, *The Second Amendment*, debate sponsored by the Federalist Soc'y and the Evening Law Students Assoc., University of Houston Law Center
2013	Invited speaker and faculty, *Full Court Press Expert Witness Training*, Inst. Domestic Violence & Sexual Assault Res., funded by U.S. Dep't of Justice, Violence Against Women, Austin, TX
2013	Paper presenter, *Sentencing Policy Adjudication and Empiricism*, Criminal Justice panel at Law & Soc'y Assoc., Boston, MA
2013	Speaker, *An Ethical Expert Witness in Domestic Violence Cases*, Conference, Williamson Cnty. Domestic Assault Response Team, Round Rock, TX
2013	Invited speaker, *Mental Disease and Risk Assessment in Sexual Offender Litigation*, CLE sponsored by Texas State Counsel for Offenders, Conroe, TX
2013	Invited speaker, *The Second Amendment and Gun Control Legislation*, League of Women Voters of Montgomery Cnty., The Woodlands, TX
2013	Debater, *A Discussion about the Current State of Gun Laws in America*, sponsored by BLSA, ACLU, and the Federalist Soc'y, University of Houston Law Center

2012	Invited speaker, *Sex Crimes Involving Children: The Intersection of Mental Disease, Future Dangerousness, and Legal Consequences*, CLE, Fed. Defender, Southern Dist. of Texas, Houston, TX
2012	Invited speaker, *How to Be an Ethical Expert Witness in Domestic Violence Cases*, Facing Family Violence Seminar, Collin Cnty. Council Family Violence, Plano, TX
2012	Plenary, *Addressing Myths Regarding Sex Crimes*, Criminal Justice Act Seminar, Fed. Defender, Southern Dist. of Texas, San Antonio, TX
2012	Faculty Presenter and Facilitator, *Full Court Press Expert Witness Training*, Inst. Domestic Violence & Sexual Assault Res., sponsored by Crim. Justice Div., Office of the Texas Governor, Austin, TX
2012	Paper presenter, *The Law and Paraphilias: Sex Crimes as Mental Illness*, Criminal Justice panel at Law & Soc'y Assoc., Honolulu, HI
2012	Invited speaker, *Studies on Federal Child Pornography Offenders: Debunking the Myths*, Nat'l Seminar for Fed. Defenders, Atlanta, GA
2011	Speaker, *Schwarzenegger v. Plata: The Court Order to Release 40,000 Prisoners*, Constitutional Law Colloquium Series (student focus), University of South Carolina School of Law
2011	Paper presenter, *Reinvigorating Actus Reus in Cases of Post-Traumatic Stress Disorder*, Criminal Law panel, Law & Soc'y Assoc., San Francisco, CA
2011	Speaker, *Establishing Expertise as an Ethical Expert Witness*, Expert witness training sponsored by the Nat'l Ctr. Domestic & Sexual Violence and The University of Texas School of Law, Austin, TX
2010	Discussant, *Children and Families in Criminal Law,* and Reader, JUVENILE JUSTICE: THE FOURTH OPTION by Chris Slobogin & Mark Fondacaro, Law & Soc'y Assoc., Chicago, IL
2010	Moderator, Smart Grid Technology and the Sanctity of the Home panel of the Climate Change and the Future of Energy Symposium by the Toledo Law Review
2009	Chair and paper presenter, *Sex and Gender Disparities in Police Decisions to Arrest in Domestic Violence Cases*, Domestic Violence Law panel, Law & Soc'y Assoc., Denver, CO
2009	Lecturer, Short courses on American Criminal Law & Criminal Procedure, University of Szeged College of Law, Szeged, Hungary
2009	Book presenter, *Expert Testimony on Domestic Violence: A Discourse Analysis*, University of Toledo's Law & Social Thought Faculty Reading Group
2009	Team teaching instructor, Death Penalty capstone course in University of Toledo's undergraduate Law & Social Thought degree program
2008	Paper presenter, *Expert Evidence Laws in Domestic Assault Cases*, Law & Soc'y Assoc., Montreal, Canada
2008	Lecturer, Short courses on American Criminal Law & Criminal Procedure, University of Szeged College of Law, Szeged, Hungary

2008	Moderator, Debate on Capital Punishment sponsored by ACLU, Toledo Lucas Cty. Pub. Library
2008	Discussant, HUMAN RIGHTS AND GENDER VIOLENCE: TRANSLATING INTERNATIONAL LAW INTO LEGAL JUSTICE by Sally Engle Merry, University of Toledo's Law & Soc'y lecture series
2007	Speaker and facilitator, *Establishing Expertise as an Ethical Expert Witness*, Expert witness training sponsored by the Nat'l Ctr. Domestic & Sexual Violence and The University of Texas School of Law, Austin, TX
2007	Paper presenter, *Police Decisionmaking in Domestic Violence Cases*, Acad. of Crim. Justice Sci. Assoc., Seattle, WA
2006	Paper presenter, *The Intersection between Victimhood and Women's Agency in Domestic Violence*, Southwestern Soc. Sci. Assoc., San Antonio, TX
2005	Speaker and facilitator, *Trial Run: Expert Witnesses in Domestic Violence Cases*, Expert witness training, Nat'l Ctr. Domestic & Sexual Violence, Austin, TX
2004	Invited speaker, *Battered Women v. The Justice System: Who Decides for the Family?*, Speaker Series, Southwestern Univ., Georgetown, TX

ADDITIONAL PROFESSIONAL ACTIVITIES

2022	Scottish Sentencing Council, Consultant to awarded funding to conduct a literature review for sentencing assault offenses to inform the drafting of a relevant sentencing guideline
2021-2022	Scottish Sentencing Council, PI, Awarded funding to conduct a literature review for sentencing indecent images of children offenses to inform the drafting of a relevant sentencing guideline
2021-2022	Expert witness, USA v Mr Gobind Lal Tahil aka Hargobind Tahilramani, extradition case from the UK to the US (risk of violence in US prisons)
2021	Selected as impact case study submitted to REF 2021, *Shaping Policy and Practices on Algorithmic Risk Assessment*, Unit of Assessment: Law
2021-now	Testifying expert witness, Russell v. Harris County, Texas, Civil Rights Corp, Susman Godfrey, and Texas Civil Rights Project (class action against felony pretrial detention)
2021	Participant, Engaging with Government conference, Institute for Government, London (professional development grant funded by AHRC)
2020-2023	Research Committee, American Psychology-Law Association
2020	Consulting expert, Amicus brief to the Court of Appeals, Virginia v. Baughman (issues of sex offender risk assessment)
2020	Expert, Roundtable on Risk Assessment in Sentencing, Vanderbilt University, led by Christopher Slobogin
2019	Testifying expert witness, U.S. House Committee on the Judiciary, Hearing on Oversight of the Federal Bureau of Prisons, Washington, D.C. (Oct. 17)
2019-now	Expert consultant, Sentencing Resource Counsel, Administrative Office of the U.S. Courts (commissioned to advise on issues and policies concerning risk assessment and sentencing in federal criminal justice)

2019-now	Editorial Board member, ADVANCING CORRECTIONS
2019-now	Member, Task Force on Women and Community Corrections, International Corrections & Prisons Association
2019-2020	Commissioned reporter for *A Report of the Task Force on Risk Assessment* to the National Association for Criminal Defense Lawyers
2019-2020	Expert witness, Grendell v. Maine (civil case involving excessive lethal force), Maine
2018-2020	Member, Task Force on Risk Assessment, National Association of Criminal Defense Lawyers, Washington, D.C.
2019	Written submission, Call for Information on Risk Assessment Practices in Criminal Justice, Centre for Data Ethics and Innovation, London
2018	Moderator, panels on Policing and on Punitiveness and Emotion, Law & Society Association Conference, Toronto, Canada
2018	Recorded video interview, *Traumatized Victims in the Criminal Justice System*, Compendium of Resources for Sexual Assault (training materials for criminal justice officials), Austin, TX
2018	Working group member, Qualitative Data Repository's Annotation for Transparency Initiative Challenge (promoting transparency in qualitative and mixed methods research, https://qdr.syr.edu/ati/ati-challenge), New York, NY
2016	Expert witness, United States v. Bowen (UK case fighting extradition, subject matter expert on sex offender civil commitment), London
2016	Testifying expert witness, United States v. Mitchell (UK case fighting extradition, subject matter expert on sex offender civil commitment and federal sentencing), London
2015	Organizing committee member, Police, Jails, and Vulnerable People symposium, Criminal Justice Institute, Houston, TX
2015	Expert commentator, Criminal History Enhancements at Sentencing Conference, Robina Institute, University of Minnesota Law School, Minneapolis, MN
2015	Written testimony, submitted to the Charles Colson Task Force on Federal Corrections, Public Meeting, Washington, D.C.
2015	Guest editor, *NeuLaw Criminal Record Database: A Resource for Large Scale Analysis of Policy and Behavior*, J. SCI. & L.
2015	Panelist, *Expert Symposium Regarding Risk Assessment* before the United States Sentencing Commission, Washington, DC
2015	Participant, NeuLaw expert workshop on *Building Community and Capacity for Transformative Data-Intensive Criminal Research*, Houston, TX
2014	Senior editor, *Exploring the Use of Policy Disagreements in Judicial Downward Departures for Child Pornography Sentences*, by Kimberly A. Kaiser & Cassia Spohn, 13 CRIMINOLOGY & PUB. POL'Y 241
2014	Expert witness, State of Texas v. Bradshaw (case challenging constitutionality of Texas sex offender civil commitment law)

Peer Reviewer:

CRIMINOLOGY & PUBLIC POLICY   YALE LAW JOURNAL
CRITICAL CRIMINOLOGY   LAW & SOCIETY REVIEW
J. CRIMINAL LAW & CRIMINOLOGY   CRIMINOLOGY
OXFORD UNIV. PRESS   INTERSECTIONS: WOMEN & GENDER STUD.
Peer-Reviewed Scholarship Marketplace   AFFILIA: J. WOMEN & SOC. WORK
   (PRSM)   VIOLENCE AGAINST WOMEN
WOMEN'S STUD. INT'L FORUM   INT'L CRIMINAL JUSTICE REVIEW
JOURNAL WOMEN POL. & POL'Y   ROUTLEDGE
ADVANCING CORRECTIONS   TAYLOR & FRANCIS
CRITICAL PUBLIC HEALTH   GENDER ISSUES
FRONTIERS IN PSYCHOLOGY   J. OF LEGAL RESEARCH METHODOLOGY
OÑATI SOCIO-LEGAL SERIES

Peer Reviewer for the National Institute of Justice's Office of Justice Programs

External grant funding: Scottish Sentencing Council (UK£13,500, 2021-2022); UK Arts & Humanities Research Council (Engaging with Government workshop expenses, 2021); Sentencing Academy (£1,000, 2020); Koch Foundation (US$18,300, 2020); Vanderbilt University (US$1,000, 2020); Qualitative Data Repository (US$2,000, 2018); Institute on Domestic Violence and Sexual Assault (US$19,500, 2017-2019)

Articles cited in judicial opinions: U.S. Court of Appeals (Fourth Circuit, Sixth Circuit, Ninth Circuit, Tenth Circuit); U.S. District Courts (Iowa, Louisiana, Nebraska, New Mexico, New York, Ohio, Tennessee, Virginia); state supreme courts (Iowa, New Jersey, Washington, Wisconsin); state appellate courts (California, Ohio, Maine, Washington); state trial courts (Massachusetts)

Cited or quoted: NY Times, Wall Street J., Christian Sci. Monitor, Wash. Post, Chic. Trib., Wash. Times, Boston Globe, The Atlantic, Slate Mag., The New Yorker, Vice, Reason, Wired, NBC News (online), The Crime Report, HuffPost, ABA Journal, Int'l Bus. Times, Epoch Times, Forensic Mag., Glamour, Texas Tribune, Texas Observer, U.S. Sentencing Commission's Federal Child Pornography Offenses report to Congress, Reader's Digest, Stylist, Pacific Daily News (Guam), Columbus Dispatch (Ohio), The Trentonian (N.J.), San Antonio Express-News, Courier-Journal (Ky.), Beaumont Enterprise (Texas), Fort Worth Star-Telegram (Texas), The Enterprise (Mass.), Jacksonville Daily Progress (Fla.), Houston Press, Clinton Herald (Iowa), The Huntsville Item (Tx.), Corpus Christi Caller-Times, Abilene Reporter-News, Muskogee Daily Phoenix (Okla.), Weatherford Democrat (Tx.), Community Impact Newspaper (Tx.), Behavioral.net (blog), Crime & Consequences (blog), PJMedia.com, Legal Productivity, Law360.com, AETV.com, Chicago Public Media (WBEZ), Accredited Schools Online, SheKnows Media, MEL Magazine, HashedOut (cyber security blog)

Television and radio appearances: Newsmax TV, HuffPost Live, Voice of America, Indus News (Pakistan), ABC News-Houston, CBS News-Houston, Over My Dead Body (Wondery podcast), Texas Public Radio, Peoria Public Radio, Houston Public Media, Houston Matters, KLRD Radio/CBS Dallas, AJC Radio, KPFT 90.1 FM Houston, News Talk 710 KURV, Indiejourno.com (podcast), Mysteria podcast

Ph.D student supervisions: Amel Ketani, *The Future of Mediation in England and Wales: Its Role in Family Disputes*; Bartek Piasta, *Child Sex Offenders: A Solution in Sentencing for Prevention*

State Bar of Texas	Institute on Domestic Violence & Sexual Assault
American Psychological Society	International Corrections and Prisons Association
American Psychology-Law Society	Socio-Legal Studies Association
Law & Society Association	Society of Legal Scholars
Criminal Courts Research Network	Association of Threat Assessment Professionals
Fellow, Royal Statistical Society	Empirical Research on Sentencing (ERoS) network

1998-99   Legal Counsel, Nokia Inc., Dallas, TX (then started doctoral studies)

1991-98   Senior Counsel, Computer Sciences Corp., Austin, TX

1990   Corporate Associate, Jones Day Reavis & Pogue, Austin, TX (then started judicial clerkship)

1985-87   Police Officer, Clearwater Police Dep't, FL (then entered law school)

1983-85   Corrections Officer, Pinellas County Sheriff's Dep't, Clearwater, FL