

## **Katherine Y. Barnes**

James E. Rogers College of Law  
University of Arizona  
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### **RESEARCH INTERESTS**

Discrimination law, Criminal justice, Legal education, Statistical evidence, Sample selection models, Bayesian statistics, Causal inference

### **TEACHING INTERESTS**

Law courses: Criminal Procedure; Evidence; Empirical Law & Social Science; Litigating with Experts; Property; Racial Profiling

Economics courses: Bayesian Econometrics; Law, Statistics, and Econometrics

### **EDUCATION**

The University of Michigan Law School, J.D. 2000  
Executive Editor, *Journal of Law Reform*  
Clarence Darrow Scholar  
Graduated cum laude

University of Minnesota, School of Statistics, Ph.D. 2003; M.S. 1999  
Ph.D. Thesis: Bayesian Inference in Spatial Clustering Models of Crime Data  
Advisor: Charles Geyer

Swarthmore College, B.A. 1993  
Graduated with Honors

### **PROFESSIONAL EXPERIENCE**

Professor of Law and Director of the Rogers Program on Law and Society, James E. Rogers College of Law, University of Arizona, Tucson, AZ (2011-present)

Associate Professor with tenure and Director of the Rogers Program on Law and Society,

James E. Rogers College of Law, University of Arizona, Tucson, AZ, 2009-2011  
(previously Associate professor without tenure, 2007-2009)

Professor of Economics, Eller College of Management, University of Arizona, Tucson, AZ  
(2011-present) (courtesy appointment; previously Associate Professor, 2007-2011)

Member, Graduate Interdisciplinary Program in Statistics, University of Arizona, Tucson,  
AZ (2007-present) (Vice-Chair, 2010-present)

Fulbright Specialist Candidate, 2013-2015

Visiting Scholar, American Bar Foundation, Chicago, IL (Spring 2014)

Visiting Professor, Universidad de Los Andes, Santiago, Chile (Fall 2013)

Visiting Associate Professor of Law, James E. Rogers College of Law, University of Arizona,  
Tucson, AZ (Spring 2007)

Assistant and Associate Professor, Washington University Law School, Saint Louis, MO  
(2003- 2007)

Law Clerk, Honorable Sonia Sotomayor, United States Court of Appeals for the Second  
Circuit, New York, NY (2002-2003 term)

Law Clerk, Honorable Vaughn R. Walker, United States District Court for the Northern  
District of California, San Francisco, CA (2001-2002 term)

## **PUBLICATIONS**

ARTICLES (published and submitted for publication)

Bayesian Benchmark Dose Analysis, 26 *Environmetrics* 373 (August 2015) (joint with Qijun  
Fang and Walter W. Piegorsch)

Is It Fair? Law Professors' Perceptions of Tenure, 61 *J. Legal Educ.* 511 (2012) (joint with  
Elizabeth Mertz)

Industry Dominance in Publicly Important Rulemakings: An Empirical Study of EPA's  
Hazardous Air Pollutant Rules, 63 *Admin. L. Rev.* 99 (2011) (joint with Wendy Wagner  
and Lisa Peters)

A Correction and Update to Is Affirmative Action Responsible For The Achievement Gap  
Between Black And White Law Students? (Northwestern Law Review Colloquy 2011)

Place Matters (Most): An Empirical Study of Prosecutorial Decision Making in Death-  
Eligible Cases, 51 *Ariz. L. Rev.* 305 (2009)

Against Judgment, 93 *Cornell L. Rev.* 689 (2008)

Is Affirmative Action Responsible for the Achievement Gap Between Black and White Law  
Students?, 101 *Northwestern L. Rev.* 1759 (2007)

Assessing the Counterfactual: The Efficacy of Drug Interdiction Absent Racial Profiling, 54 *Duke L. J.* 1089 (2005)

On Tournaments for Appointing Great Justices to the U.S. Supreme Court, 78 *S. Cal. L. Rev.* 157 (2004) (a WERL project)

Road Work: Racial Profiling and Drug Interdiction on the Highway, 101 *Mich. L. Rev.* 651 (2002) (joint with Samuel R. Gross)

#### WORKS-IN-PROGRESS

*Measuring Racial Profiling*

*Pathways to Job Satisfaction: A Case Study of U.S. Law Professors* (joint with Elizabeth Mertz)

*Presidential Politics meets Regulatory Complexity: An Empirical Study of EPA's Hazardous Air Pollutant Rules under Clinton and Bush II*, (joint with Wendy Wagner and Lisa Peters)

*Measuring Severity* (joint with David Sloss)

#### OTHER PUBLICATIONS

*Markov Chain Monte Carlo* in *Encyclopedia of Environmetrics* (2d edition, 2012)

*After Tenure: Post-Tenure Law Professors in the U.S.*, LSAC Grants Report Series (joint with Elizabeth Mertz, Frances Tung, Wamucii Njogu, Molly Heiler, and Joanne Martin)

*After Tenure: Post-Tenure Law Professors in the U.S.*, The American Bar Foundation (joint with Elizabeth Mertz, Frances Tung, Wamucii Njogu, Molly Heiler, and Joanne Martin)

Entries on *Analysis of Variance, Factor Analysis, Databases, Prediction Studies* in *Encyclopedia of Law and Society: American and Global Perspectives* (David S. Clark, ed. 2006)

#### GRANTS

Principal Investigator, *A Bayesian Approach to Selection Bias Applied to Racial Profiling*, NSF Programs on Law & Social Sciences and on Methodology, Measurement, and Statistics, 2010-2012 (\$170,000 2-year grant)

Principal Investigator, *Measuring and Controlling for Culpability*, funded Proteus Action League 2009 (\$5000 grant)

## CONFERENCES & PRESENTATIONS

### INVITED PRESENTATIONS

Tenth Annual Conference on Legal Realism, Irvine, August 2014, "Pathways to Job Satisfaction"

American Bar Foundation, Chicago, March 2014, "Measuring Racial Profiling"

Conference on Empirical Legal Studies, October 2013, Discussant, Measuring Inter-Judge Sentencing Variation by David Bjerk & Caleb Mason

Joint Statistical Meetings, August 2013, Discussant, Statistics and the Supreme Court Session

University of Arizona, Sociology Dept. Tucson, September 2012, "Mapping the Satisfaction Gap: Pathways to Demographic Differences in Job Satisfaction"

American Bar Foundation, Chicago, April 2012, "Mapping the Satisfaction Gap: Pathways to Demographic Differences in Job Satisfaction"

Virginia Law School, Charlottesville, January 2011, "Measuring Racial Profiling"

Loyola Law School, Los Angeles, October 2009, "Measuring Severity"

Berkeley Center for Criminal Justice, September 2009, "Measuring Severity"

Applications of Economic Analysis in Law Conference, Duke University, May 2009, "Bayesian Analysis of Punishment Severity"

Conference on Empirical Legal Studies, September 2008, "Is It Fair? Law Professors' Perceptions of the Tenure Process"

AALS Mid-Year Meeting on Evidence, June 2008, "Trends in Evidence Scholarship: Some Strategies for Performing Empirical Scholarship"

Symposium on Racial Classifications, University of Maryland Law School, April 2007, Racial Profiling Panel

Life and Death Decisions: Prosecutorial Discretion and Capital Punishment in Missouri, Saint Louis University and Washington University School of Law, March 2007 (Full-day conference discussing results of study)

Duke University School of Law, March 2007, "Life and Death Decisions: Prosecutorial Discretion and Capital Punishment in Missouri"

Brooklyn Law School, February 2007, "Is Affirmative Action Responsible for the Achievement Gap Between Black and White Law Students?"

Drexel University School of Law, December 2006, "Is Affirmative Action Responsible for the Achievement Gap Between Black and White Law Students?"

George Washington University Law School, November 2006, "Is Affirmative Action Responsible for the Achievement Gap Between Black and White Law Students?"

Sandra Day O'Connor School of Law, Arizona State University, November 2006, "Is Affirmative Action Responsible for the Achievement Gap Between Black and White Law Students?"

Boston University School of Law, October 2006, "Is Affirmative Action Responsible for the Achievement Gap Between Black and White Law Students?"

University of Maryland School of Law, October 2006, "Is Affirmative Action Responsible for the Achievement Gap Between Black and White Law Students?"

James E. Rogers College of Law, University of Arizona, April 2006, "Is Affirmative Action Responsible for the Achievement Gap Between Black and White Law Students?"

Northwestern University, Conference on Racial Profiling April 2006, "Assessing the Counterfactual: A Bayesian Approach to Selection Bias in Racial Profiling"

University of Nebraska Law & Psychology Conference, June 2005, Discussant for Hate Crimes panel

Faculty Research Seminar, Washington University Law School, August 2004, "Assessing the Counterfactual: The Efficacy of Drug Interdiction Absent Racial Profiling"

Work, Public Policy & Family Seminar, Washington University, March 2004, "Assessing the Counterfactual: The Efficacy of Drug Interdiction Absent Racial Profiling"

#### SUBMITTED PRESENTATIONS

Law & Society Association Annual Meeting, May 2014, "Assessing Stop & Frisk in NYC"

Conference on Empirical Legal Studies, November 2012, "Mapping the Divide: Pathways to Demographic Differences in Job Satisfaction"

Canadian Law and Economics Association Meeting, October 2012, "Measuring Racial Profiling" American Law and Economics Association Meeting, May 2012, "Measuring Racial Profiling" Conference on Empirical Legal Studies, November 2011, "Measuring Racial Profiling"

American Law and Economics Association Meeting, May 2010, "Presidential Politics meets Regulatory Complexity: An Empirical Study of EPA's Hazardous Air Pollutant Rules under Clinton and Bush II"

American Association of Law School, Panelist 2010, "Empiricism and Transformations in International Law"

Conference on Empirical Legal Studies, November 2009, "Industry Dominance" in Publicly Important Rulemakings: An Empirical Study of EPA's Hazardous Air Pollutant Rules

Conference on Empirical Legal Studies, September 2008, "Life and Death Decisions: An Empirical Investigation of Death Sentences in Missouri"

Conference on Empirical Legal Studies, September 2008, "Is It Fair? Law Professors' Perceptions of Tenure"

Law & Society Association Annual Meeting, May 2008, "The Effects of Judge, Prosecutor, and Defendant Race and Gender Interactions on Defendant Outcomes"

AALS Annual Meeting, January 2008, Measures of Inclusion: Life After Tenure Project

American Society of Criminology Annual Meeting, November 2007, Author Meets Reader: *Against Prediction* by Bernard Harcourt

Law & Society Association Annual Meeting, July 2007, "A Bayesian Approach to Selection Bias"

Conference on Empirical Legal Studies, October 2006, "Is Affirmative Action Responsible for the Achievement Gap Between Black and White Law Students?"

Law & Society Association Annual Meeting, July 2006, "Homicides: Making a Federal Case Out of It"

Joint Meeting of the Interface and Classification Societies of North America, June 2005, "Does the Death Penalty Deter? Further Evidence on a Contested Subject"

Law & Society Association Annual Meeting, May 2005, "An Unbroken System? The Federal Death Penalty, Revisited"

Sixth International Conference on Forensic Statistics, March 2005, "A Bayesian Method for Controlling Selection Bias"

Law & Society Association Annual Meeting, May 2004, "Assessing the Counterfactual: The Efficacy of Drug Interdiction Absent Racial Profiling"

Law & Society Association Summer Institute, July 2003, "A Bayesian Method for Controlling Selection Bias"

Law & Society Association Annual Meeting, May 2000, "Highway Stops: Drug Interdiction And Racial Profiling"

Law & Society Association Graduate Student Workshop, May 1999

Law & Society Association Annual Meeting, May 1998 "The Death Penalty Today: Is There Even Slight Deterrence?"

## **SERVICE**

### LAW COLLEGE

Director, Rogers Program in Law and Society, 2007-present Joint Degree Advisor, 2011-present

Co-Director, Program on Criminal Law and Policy, 2007-present

Chair, Admissions Committee, 2015-16

Appointments Committee, 2004-2005, 2005-2006, 2008-2009, 2010-2011, 2011-12, 2014-15

Promotions & Tenure Committee, 2014-15

Chair, Executive Committee, 2012-13 Dean Search Committee, 2012-13  
Dean's Advisory Committee, 2012-13  
Peer Review Committee, 2011-12, 2014-15  
Enrichment Committee, 2007-2008, 2008-2009, 2012-13 (chair)  
Rules and Petitions Committee, 2005-2006  
Clerkship Committee, 2003-2004, 2009-13, (chair 2012-13)

#### UNIVERSITY

Vice-Chair & Admission Committee chair, Executive Committee, Graduate Interdisciplinary Program in Statistics, University of Arizona, Tucson, AZ, 2010-2013 term, 2014-2017 term  
Statistics Representative, School of Mathematical Sciences Advisory Board, 2012-2014 term  
Arizona Assurance Mentor, 2010-2011  
Joint Applied Statistics & Political Science Search Committee (Methods Candidates), 2005-2006, 2006-2007  
Political Science Search Committee (Judicial Politics Candidate), 2005-2006

#### NATIONAL

Member, Editorial Board, *Law & Social Inquiry*, 2016-2018 term  
Associate Editor, *Journal of Law, Probability and Statistics*  
Program Committee, Eighth International Conference on Forensic Inference and Statistics  
LSAC Grant Subcommittee, 2008-2011 term  
AALS Treasurer, Section on Law and the Social Sciences, 2010  
AALS Chair, Section on Law and the Social Sciences, 2009  
Law & Society Association Article Prize Committee, 2007  
Referee, *Journal of Legal Studies*, *Supreme Court Economic Review*, *American Economic Journal: Economic Policy*, *Journal of Law, Probability and Statistics*  
Instructor, Empirical Boot Camp, 2004, 2005 (Intensive 3-day course for law professors interested in learning empirical methods)

#### PROFESSIONAL MEMBERSHIPS

Law & Society Association, American Statistical Association, American Association of Law Schools, American Law & Economics Association, Society for Empirical Legal Studies