

# EXHIBIT N

# COST OF THE DEATH PENALTY IN KANSAS

Philip J. Cook and Frank R. Baumgartner

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## **I. Qualifications.**

*Philip J. Cook.*

I am the Terry Sanford Professor Emeritus of Public Policy and Professor Emeritus of Economics at Duke University. My curriculum vitae is attached as Appendix A.

I received my PH.D. in Economics from the University of California Berkeley in 1973. In that year I accepted a faculty position at Duke University in public policy and economics. I was promoted through the ranks from assistant professor to full professor with tenure, and ultimately awarded a distinguished professorship in 1996.

I am the former Senior Associate Dean for Faculty at the Sanford School of Public Policy. I served as director of the School's predecessor, the Sanford Institute of Public Policy, for a total of seven (7) years. I have held visiting positions at Harvard University, the University of Maryland, the Russell Sage Foundation, and the Collegio Carlo Alberto, among others.

I was appointed Research Associate of the National Bureau of Economic Research in 1991. I have been honored by election as Fellow of the American Society of Experimental Criminology, Fellow of the American Society of Criminology, and Member of the National Academy of Medicine. I have received a number of awards for my research, including, in 2020, the Stockholm Prize in Criminology.

I have published over 100 articles in peer reviewed journals. My research has been published in the leading journals in economics, public policy, medicine, law, and criminology, including the *American Economic Review*, *Quarterly Journal of Economics*, *Economic Journal*, *Journal of Policy Analysis and Management*, *Journal of the American Medical Association*, *American Journal of Public Health*, *Law & Contemporary Problems*, *UCLA Law Review*, *Criminology*, *Journal of Public Economics*, *Journal of Law and Contemporary Problems*, and the *Journal of Quantitative Criminology*. I am also author or editor of several books, including *Gun Violence: The Real Costs* (Oxford University Press) and *Lessons from the Economics of Crime: What Reduces Offending?* (MIT Press).

I have served as a member of nine expert panels convened by the National Academy of Sciences, Engineering, and Medicine. These panels produced and published consensus reports on a variety of topics including injury prevention, violence prevention, and alcohol control. Most relevant to my current testimony is that I served on the expert panel that produced the report titled *Deterrence and the Death Penalty* (National Academy Press 2012).

I have completed two studies of the costs of the death penalty in North Carolina based on my extensive data collection and analysis. The more recent of these was published in the *American*

*Law and Economics Review* in 2009. While I have served as an expert witness several times, I have not previously provided testimony in conjunction with a lawsuit challenging the death penalty.

*Frank R. Baumgartner.*

I currently hold the Richard J. Richardson Distinguished Professorship in Political Science at the University of North Carolina at Chapel Hill. I received my BA, MA, and PhD degrees in political science at the University of Michigan (1980, 1983, 1986). I have been a faculty member since 1986 and have taught at the University of Iowa, Texas A&M University, Penn State University, and UNC-Chapel Hill, where I moved in 2009. I taught at Penn State from 1999 through 2009 and served as Head of the Political Science Department there from 1999 through 2004. I regularly teach courses at all levels, many involving significant instruction in research methodology. My curriculum vitae is attached as Appendix B.

My research generally involves statistical analyses of public policy problems, often based on originally collected data or administrative databases. I have published over a dozen books and more than 80 articles in peer-reviewed journals. I have been fortunate to receive a number of awards for my work, including six (6) book awards, awards for database construction, and so on. I am a fellow of the American Academy of Arts and Sciences, an honorary society dating back to 1780. I am a co-author of two books about the death penalty. The first, *The Decline of the Death Penalty and the Discovery of Innocence* (Cambridge University Press, 2008), focused on public opinion toward capital punishment and the impact of the “innocence” argument. My co-authors and I were awarded the Gladys M. Kammerer Award for the best publication in the field of US national policy from the American Political Science Association for this book in 2008. The second book, *Deadly Justice: A Statistical Portrait of the Death Penalty* (Oxford University Press, 2018), provides a statistical overview of a broad range of questions relating to the “modern” (post-*Furman*) application of the death penalty: demographic characteristics of the offenders and victims, rates of use, comparison to homicide numbers, geographical patterns, eligible crimes in different states, cost, deterrence, and so on. The book derives from, and is the main text in, a course I teach about the death penalty that regularly enrolls over 400 students at UNC-Chapel Hill. *Deadly Justice* includes a chapter entitled “Why Does the Death Penalty Cost So Much?”, co-authored with Mr. Justin Cole, currently a student at Yale Law School. That chapter was based on a comprehensive review of studies of the cost of the death penalty.

I have also published a number of death penalty-related studies in law reviews and peer-reviewed academic journals. Many of these articles relate to race- and gender-based disparities in the application of the death penalty. I am the co-author of another book, *Suspect Citizens: What 20 Million Traffic Stops Tell Us about Policing and Race* (Cambridge University Press, 2018; winner of the C. Herman Pritchett Best Book Award from the Law and Courts Section of the American Political Science Association in 2019). This book, and numerous related articles published in peer review journals, also delves deeply into the analysis of race- and gender-based disparities in criminal justice outcomes.

## II. Introduction.

Analysis of studies across the nation on the cost of the death penalty are clear: administration of the death penalty is more costly than not. Additional costs are incurred at every stage of litigation, from investigation to post-conviction.

This is also true in Kansas. The modern death penalty was re-instituted in Kansas in 1994 but has been rarely used. Since its adoption, there have been over 3,500 criminal homicides in Kansas,<sup>1</sup> but no executions. There are currently nine (9) people imprisoned in Kansas with a death sentence,<sup>2</sup> the most recent of whom was sentenced in 2016.<sup>3</sup> Two (2) other individuals who were sentenced to death since 1994 died of natural causes while incarcerated, and four (4) individuals have been resentenced to life without the possibility of parole (“LWOP”). But, despite the fact that death sentences are rare, the cost of maintaining the death penalty in Kansas amounts to millions of dollars each year.

This report explains why the death penalty is costly and seeks to quantify the cost by reviewing literature on the cost of the death penalty, discussing available estimates from two previous cost studies performed in Kansas, and building off the previous Kansas studies with an examination of additional data gathered in the years since the conclusion of the last study.

In 2003, the state of Kansas released the Legislative Post Audit report (“2003 Report”) which compared costs in 22 cases, some death penalty and some first-degree murder cases.<sup>4</sup> In 2014, the Judicial Council Death Penalty Advisory Committee reviewed additional costs incurred in the death penalty cases analyzed by the 2003 Report as well as in all capital-eligible cases filed between fiscal years 2004 and 2011 (“2014 Report”).<sup>5</sup> The new analysis in our report builds off of the State’s 2003 and 2014 studies and focuses on the five-year period between 2014 and 2018. During that time the State incurred costs associated with ongoing appeals of previous death sentences, as well as active capital cases defined as those that were ongoing, charged, or in a

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<sup>1</sup> Between 1994 and 2019, the National Vital Statistics System recorded 3,469 homicides in Kansas (WISQARS.CDC.gov). The Kansas Bureau of Investigation reports 193 murders in 2020.

<sup>2</sup> Death Penalty Information Center, State and Federal Info Kansas, *see* <https://deathpenaltyinfo.org/state-and-federal-info/state-by-state/kansas>.

<sup>3</sup> Steve Fry, *Kyle Flack, who killed 3 adults and a toddler, sentenced to the death penalty in Kansas capital murder case*, The Topeka Capital Journal (May 18, 2016), <https://www.cjonline.com/story/news/politics/state/2016/05/18/kyle-flack-who-killed-3-adults-and-toddler-sentenced-death-penalty-kansas-capital/16587105007/>; *see also* <https://www.doc.ks.gov/newsroom/capital>.

<sup>4</sup> Leg. Post Audit Comm., *Performance Audit Report: Costs Incurred for Death Penalty Cases: A K-GOAL Audit of the Department of Corrections* (Dec. 2003), [https://www.ncsl.org/Portals/1/Documents/cj/KS\\_2003\\_CostsReport33956.pdf](https://www.ncsl.org/Portals/1/Documents/cj/KS_2003_CostsReport33956.pdf) (“2003 Report”).

<sup>5</sup> Judicial Council Death Penalty Advisory Comm., *Report of the Judicial Council Death Penalty Advisory Committee* (Feb. 13, 2014), <https://kansasjudicialcouncil.org/Documents/Studies%20and%20Reports/2015%20Reports/death%20penalty%20cost%20report%20final.pdf> (“2014 Report”).

retrial posture during this time period. The Counties that had one or more active capital cases between 2014 and 2018 include: Barton, Chautauqua, Franklin, Geary, Harvey, Johnson, Labette, Pratt, Riley, Saline, Sedgwick, Shawnee, and Wyandotte. Within these counties, all investigation, prosecution, and adjudication costs were requested for all active capital and non-capital first degree homicide cases.<sup>6</sup>

Cost data were requested from the following entities: 1) county attorney offices; 2) county clerk offices; 3) county accounting departments; 4) district courts; 5) police departments; 6) sheriff departments; 7) the Kansas Department of Corrections; 8) the Kansas State Board of Indigents' Defense Services (BIDS); 9) the Kansas Supreme Court; 10) the Attorney General's office; 11) the Kansas Bureau of Investigation; and 12) the Kansas Court of Appeals. These requests sought to capture costs from the initial investigation into a capital or non-capital homicide case, through any trial, incarceration, and appeals. The general responsiveness and level of detail provided differed greatly among these entities. The results of these requests are briefly summarized in the attorney declaration attached as Appendix C.

This data collection spanned more entities than the previous studies, but faced similar challenges, including non-centralized databases, inconsistent record keeping, and a failure to track costs by case. The results of the previous studies and this supplemental study make clear one thing: no one can provide a comprehensive accounting of the full cost of the death penalty to the State of Kansas. However, the data available demonstrate that maintaining the death penalty in Kansas is significantly more costly than pursuing other forms of punishment and costs the State and its taxpayers millions of dollars each year.

### **III. Analysis**

#### **1. Conclusions of Cost Studies Across the Country**

In the following section, we first explain how we identified the studies used and then review their estimates of overall cost, breaking down these estimates where possible to show which parts of the process seem to be generating most of the cost or savings. This section is based on a chapter in Professor Baumgartner's 2018 book, *Deadly Justice: A Statistical Portrait of the Death Penalty*, and is co-written with Justin Cole, currently a student at Yale Law School and co-author of the original book chapter, which this section updates.

In order to find studies on the cost of the death penalty, we first referred to a page on the Death Penalty Information Center ("DPIC") website that focuses specifically on cost.<sup>7</sup> We started with all the articles listed in the main sections on this page: "State Studies on Monetary Costs," "State Studies on Time Costs," "DPIC Reports on Costs," and "DPIC Testimony and Presentations on Costs." We then conducted Google Scholar searches for relevant terms such as "death penalty

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<sup>6</sup> Additional costs were sought both in the two years leading up to 2014 and through January 1, 2020, in order to identify any other costs that were not otherwise captured in the period of 2014 to 2018.

<sup>7</sup> See *Costs*, DEATH PENALTY INFO. CTR., [deathpenaltyinfo.org/policy-issues/costs](https://deathpenaltyinfo.org/policy-issues/costs) (last visited Feb. 11, 2022).

costs,” “cost of capital punishment,” and “price of capital punishment.” Because the DPIC site is relatively complete, these searches yielded few additional hits. We identified 25 published studies, most of which focus on a single state. The vast majority of the studies were published in academic journals or law reviews, but a few were published in highly professional and systematic journalistic or legislative reviews. We did not include any studies that focused on individual cases or that were of relatively small empirical scope. All the studies reviewed focus on comparisons of the cost of capital cases with non-capital murder trials. Some provide overall cost estimates, and many of them break down the source of the costs by the different phases of the trial or postconviction appeals. In the following sections, we provide a tabular summary of the studies, their time and geographical scopes, the number of cases reviewed, and their cost estimates.

**a. Overall Cost Estimates.**

Of the 25 studies we reviewed, 15 provide some estimate of the overall cost of a death sentence, an execution, or the entire death penalty system as compared with a first-degree murder trial or a system where capital punishment is not considered or available as an option. All of the studies are in states where the death penalty is legally available, so the comparison is across cases where the State seeks the death penalty to otherwise similar cases where the death penalty is not sought. The studies use slightly different definitions of cost, as we describe below. Table 1 summarizes these results. Where it is possible to give a precise dollar amount, we do so. Where there is only an indication of “more” spending in the capital case, we indicate this with a plus sign (+). We use a minus sign (–) in the rare cases where there are savings.<sup>8</sup>

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<sup>8</sup> See FRANK R. BAUMGARTNER, MARTY DAVIDSON, KANEESHA R. JOHNSON, ARVIND KRISHNAMURTHY & COLIN P. WILSON, *DEADLY JUSTICE: A STATISTICAL PORTRAIT OF THE DEATH PENALTY* app. E (2018), <http://fbaum.unc.edu/books/DeadlyJustice/AppE-Cost.pdf> (replicating the three tables in this report with footnotes explaining each cost estimate).

Table 1. Overall Cost Estimates

Basic Characteristics of Cost Studies				Comparative Costs		
Author and Year	Geographic Scope	Time Period Examined	Cases Sampled	Death Penalty Trials as Compared to Non-Death Penalty Trials	Death Sentence as Compared to a Sentence of Life without Parole	Death Penalty as Compared to a Scenario Where the Maximum Punishment Is Life without Parole
California Commission on the Fair Administration of Justice (2008)	California	1978–2007	1,644	+	+	+\$125,500,000 per year
Minsker (2009)	California	1996–2006	338	+	+	
Alarcón and Mitchell (2011)	California	1978–2010	1,940	+\$1,000,000 per case	+	+\$4,000,000,000 over 31 years (+\$129,000,000 per year)
Marceau and Whitson (2013)	Colorado	1999–2010	154	+123.5 days per case		
Gould and Greenman (2010)	Federal	1998–2004	214	+\$308,376 per case		
Palm Beach Post Capital Bureau (2000)	Florida	1979–1999		+		+\$51,000,000 per year
Office of Performance Evaluations (2014)	Idaho	1998–2013	251	+3.1 months per case		
Indiana Legislative Services Agency (2015)	Indiana	1995–2013	124	+\$342,940 per case		
Legislative Division of Post Audit (2003)	Kansas	1994–2003	22	+\$316,000 per case	+	+
Judicial Council (2014)	Kansas	1994–2011	63	+17.1 days per case		
Cohen et al. (2019)	Louisiana	2007–2016				+\$750,000–\$4,000,000 per case

Roman et al. (2008)	Maryland	1978–1999	1,136	+640,000 per case	+\$851,000 per death sentence	+\$1,491,000 per case
Dieter (2009)	National Survey			+	+	+
Goss, Strain, and Blalock (2016)	Nebraska	1973–2014	119		+	+\$14,600,000 per year
Miethe (2012)	Nevada	2009–2011	138			
Nevada Legislative Counsel Bureau (2014)	Nevada	2000–2012	28	+\$375,000–\$389,000 per case	–\$5,000 per death sentence to +\$86,000 per death sentence	\$375,000–\$475,000 per case
Forsberg (2005)	New Jersey	1982–2004		+	+	+\$253,300,000 over 24 years (+\$11,000,000 per year)
Cook and Slawson (1993)	North Carolina	1990–1991	77	+\$47,793 per case		
Cook (2009)	North Carolina	2005–2006	1,034	+		+\$11,000,000 per year
Collins et al. (2017)	Oklahoma	2004–2010	184			+\$110,000 per case
Kaplan (2013)	Oregon	1984–2013		+	+	+
Dieter (2010)	Pennsylvania	1976–2009		+	+	
Morgan (2004)	Tennessee	1993–2003	240	+	+	+
Washington State Bar Association (2006)	Washington	1981–2005	254	+		
Collins et al. (2015)	Washington	1997–2014	147	+		+\$1,150,000 per case

Key: [+] means an item is more expensive; [-] means an item is less expensive; [=] means the expenses are equivalent; blank means there was no relevant information on the category in the study.



The first column of the table lists the author or authors of the study, as well as the date that the study was published. All but one of these studies were published in the twenty-first century, indicating that the cost of the death penalty has only begun to attract attention in recent years. The second column notes the geographical scope of each cost study. Most of the studies (23 of 25) limit their analysis to one state.<sup>9</sup> The third column contains the time period that was examined by each study. There are two important points to highlight here. First, most of the studies focus on a time period of a decade or more, but a fair number limit their analysis to a period of only a few years. Second, the vast majority of the studies examine the death penalty prior to 2012, and the data reported does not always take inflation into account. We have not made adjustments for inflation in the table, but report the dollar values listed in the articles we review. For these reasons, it would be fair to consider the cost estimates as low or conservative ones. Real costs are undoubtedly higher.

The fourth column lists the total number of cases examined in each study. The number listed is the total number of homicide cases. For the first entry in the table, the study reviewed 1,644 homicide cases in California between 1978 and 2007. Only a fraction of these cases were prosecuted capitally, and then only a fraction of those led to a death penalty. The *N* reported in the table is the total number of homicide cases the study reviewed, not the number of death sentences. The fifth column compares the cost of a death penalty trial to the cost of a first-degree murder trial where the death penalty was not sought. Of course, not every death penalty trial ends in a death sentence, and trials that end in death sentences are more expensive than those that do not. To account for this, a weighted average of trial costs in these two categories was compiled and then compared to the costs of first-degree murder trials where the death penalty was not sought to get this figure. Some studies examined both trials and pleas. When pleas were included, they were incorporated through a weighted average into both the costs of death penalty trials and the costs of first-degree murder trials where the death penalty was not sought.

The sixth column compares the cost of a capital trial that ends without a death sentence with a capital trial that ends with a death sentence. The costs encompassed by this category are appellate costs garnered in direct appeals, state postconviction proceedings, and federal postconviction proceedings as well as incarceration costs. This category is especially interesting because most people who receive death sentences do not actually end up being executed; thus, the death penalty is effectively an expensive form of LWOP, at least in those cases. The seventh column looks at both the trial and the postconviction phases of a death penalty case and compares the overall cost of a death sentence, an execution, or the entire death penalty system with a first-degree murder trial where capital punishment is not considered. The entries indicate whether the cost estimate is for the entire system, indicating the additional costs of maintaining a death penalty system over a system where there is no capital punishment, or if the estimate is per case. Per-case estimates refer to the additional costs of seeking death over seeking a punishment of life without parole.

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<sup>9</sup> The study by Gould and Greenman (2010) focuses solely on federal death penalty cases and the one by Dieter (2009) is a national survey of police chiefs.

Overall costs of the entire system are perhaps the most important indicators: what does it cost a state to maintain a capital punishment system, per year? Reading down the last column and looking at those estimates, we see approximately \$125-129 million per year in California; \$51 million in Florida; \$15 million in Nebraska; \$11 million in New Jersey; and \$11 million in North Carolina. The per-case estimates are also high, \$750,000 to \$4 million in Louisiana; \$1.5 million in Maryland; \$375,000 to \$475,000 in Nevada; and \$110,000 in Oklahoma. No estimates are negative; the death penalty is always more expensive. How much higher ranges depending on the state. Unsurprisingly, the states with more active death penalty systems show higher costs, as California faces costs over \$100 million per year, Florida sees over \$50 million, and New Jersey is lower at \$11 million. New Jersey, however, maintained these costs over a quarter century and carried out just one execution; that single execution came at a cumulative estimated cost of a quarter-billion dollars. The similar estimates for California, over a longer time period, include a global estimate of more than \$4 billion. As the state has carried out just 13 executions in the period since 1976, this amounts to a price tag of over \$300 million per execution, similar to the New Jersey figure. And once again, these numbers do not take inflation into account. Kansas, of course, has not carried out a single execution in the modern era, so the costs associated with the maintenance of a death penalty are related to no executions at all.

**b. Trial Phase Cost Estimates.**

The 25 studies listed in Table 1 also break down the costs associated with the different phases of the trial process. Table 2 summarizes these results.

Table 2. Costs Associated with Each Phase of the Death Penalty Trial

Basic Characteristics of the Studies				Costs of the Various Components of Death Penalty Trials					
Author and Year	Geographic Scope	Time Period Examined	Cases Sampled	Death Penalty Trials as Compared to Non-Death Penalty Trials	Defense	Prosecution	Experts	Court	Jury
California Commission on the Fair Administration of Justice (2008)	California	1978–2007	1,644	+	+				+
American Civil Liberties Union of Northern California (2009)	California	1996–2006	338	+	+	+	+	+	+
Alarcón and Mitchell (2011)	California	1978–2010	1,940	+\$1,000,000 per case	+	+	+	+	+
Marceau and Whitson (2013)	Colorado	1999–2010	154	+123.5 days per case	+			+	+24.5 days per case
Gould and Greenman (2010)	Federal	1998–2004	214	+\$308,376 per case	+\$231,753 per case		+\$77,754 per case		+
Palm Beach Post Capital Bureau (2000)	Florida	1979–1999		+	+	+			
Idaho Legislature Office of Performance Evaluations (2014)	Idaho	1998–2013	251	+3.1 months per case					

Legislative Division of Post Audit (2003)	Kansas	1994–2003	22	+ \$316,000 per case	+	+	+	+	+
Judicial Council (2014)	Kansas	1994–2011	63	+17.1 days per case					
Roman et al. (2008)	Maryland	1978–1999	1,136	+640,000 per case	+	+			+
Dieter (2009)	National Survey			+	+	+	+	+	+
Goss, Strain, and Blalock (2016)	Nebraska	1973–2014	119		+		+	+	+
Miethe (2012)	Nevada	2009–2011	138		+1,166 hours per case				
					+ \$116,600–\$145,750 per case				
Nevada Legislative Counsel Bureau (2014)	Nevada	2000–2012	28	+ \$375,000–\$389,000 per case	+ \$176,891–\$225,834 per case	+ \$7,212–\$10,699 per case	+ \$49,000–\$61,025 per case	+	+
Forsberg (2005)	New Jersey	1982–2004		+	+ \$2,300,000 per year	+ \$4,600,000–\$7,800,000 per year	+	+	+
Cook and Slawson (1993)	North Carolina	1990–1991	77	+ \$47,793 per case	+	+	+	+	+
Cook (2009)	North Carolina	2005–2006	1,034	+	+ \$13,180,385 over 2 years	+26,680 hours over 2 years	+ \$3,024,000 over 2 years	+691 days over 2 years	\$224,640 over 2 years
Collins et al. (2017)	Oklahoma	2004–2010	184		+ \$32,700 per case	+ \$17,684 per case	+	+	
Kaplan (2013)	Oregon	1984–2013		+	+	+	+		
Dieter (2010)	Pennsylvania	1976–2009		+	+	+	+		+
Morgan (2004)	Tennessee	1993–2003	240	+	+	+	+	+	+

Washington State Bar Association (2006)	Washington	1981–2005	254	+	+\$246,000 per case	+217,000 per case		+\$46,640–\$69,960 per case	+
Collins et al. (2015)	Washington	1997–2014	147	+	+\$493,500 per case	+\$55,900 per case	+	+\$80,000 per case	

Key: [+] means an item is more expensive; [-] means an item is less expensive; [=] means the expenses are equivalent; blank means there was no relevant information on the category in the study.

Just as in Table 1, the first four (4) columns of Table 2 provide the basic characteristics of each of the studies. The fifth column is also contained within Table 1. The remaining columns, however, deal specifically with various phases of a death penalty trial as compared with a first-degree murder trial where capital punishment is not considered.

Eight (8) studies provide some specific numerical estimate of the costs associated with the defense, and six (6) studies provide some estimate of the costs associated with the prosecution. Each of these shows that attorney costs are substantially higher for capital trials than for first-degree murder trials where capital punishment is not considered. Unsurprisingly, among those studies that provide a precise cost estimate for the defense, costs range from an additional \$32,700 per case in Oklahoma to an additional \$493,500 per case in Washington. For those that provide information on the prosecution, costs range from an additional \$7,212 per case in Nevada to an additional \$217,000 per case in Washington.

Three (3) studies provide some specific numerical estimates explicitly associated with expert testimony, and three (3) studies provide some estimate of court costs, either direct monetary costs or costs in terms of time. Each of these shows that both expert and court costs are substantially higher during capital trials than during first-degree murder trials where capital punishment is not considered. Even studies that do not provide specific numerical data provide some indication that these components are more expensive in capital trials. As science has improved, the defense has increasingly relied on experts who specialize in everything from mental health to hair follicle analysis to bite marks to eyewitness testimony in an attempt to avoid the death penalty for their client. As a result, the prosecution has naturally countered with its own array of experts. Court costs are also higher in capital trials. More capital trials change venues, which is costly. More importantly, capital trials last much longer, which means not only that daily costs of writing transcripts or providing security increase but also that opportunity costs arise. The more time a capital trial takes, the less time there is for other trials in that same courtroom or by that judge. This does not appear as a direct cost in a state budget, but it is nonetheless important, particularly as many states are experiencing significant delays in their criminal justice system associated with the COVID-19 pandemic. With this in mind, additional expert costs range from \$49,000 to \$77,754 per case, and additional court costs range from \$46,640 to \$80,000 per case.<sup>10</sup>

Two (2) studies provide some specific numerical estimate of the costs associated with voir dire, or jury selection. Marceau and Whitson (2013) compared six (6) capital prosecutions with 148 noncapital cases in Colorado and found that jury selection took 24.5 days longer in the capital trials. Many more potential jurors are required; individuals who are categorically opposed to the death penalty and would refuse to consider a death sentence are excused, as are many others due to financial hardship, a problem that is far more severe because of the greater length of capital trials. Missing work or childcare responsibilities for a longer time is also more onerous. Once the trial begins, jurors are paid for every day they work, which added up to \$224,640 over two years in North Carolina.

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<sup>10</sup> “Additional court costs” are those associated with longer trials: court reporters, court staff, courtroom security, and so on.

It is clear that costs are high and that they stem not from a single easily controlled source but from virtually every element of the trial and investigation. Contrary to popular belief, the costs of the death penalty are not limited to the appeals that come after a conviction; rather, the costs accumulate from the very instant that a case becomes capital.

**c. Postconviction Cost Estimates.**

We found 19 studies that break down the costs associated with the different phases of the postconviction process; these are a subset of those listed in the previous table. Table 3 summarizes these results.

Table 3. Costs Associated with Each Phase of the Death Penalty Postconviction Process

Basic Characteristics of the Cost Studies				Costs of the Various Phases of the Postconviction Process of the Death Penalty					
Author and Year	Geographic Scope	Time Period Examined	Cases Sampled	Death Sentence as Compared to a Sentence of Life without Parole	Direct Appeal	Postconviction at the State Level	Postconviction at the Federal Level	Incarceration	New Death Row Complex
California Commission on the Fair Administration of Justice (2008)	California	1978–2007	1,644	+	+	+		+\$90,000 per inmate per year	+\$402.6 million overall
Minsker (2008)	California	1996–2006	338	+	+	+		+\$90,000 per inmate per year	+\$356 million overall
Alarcón and Mitchell (2011)	California	1978–2010	1,940	+	+	+\$200,000–\$300,000 per death sentence	\$1.11 million per death sentence	+\$90,000 per inmate per year	+\$402.8 million overall
Idaho Legislature Office of Performance Evaluations (2014)	Idaho	1998–2013	251		+1.2 years per death sentence	+1.4 years per death sentence		+	
Legislative Division of Post Audit (2003)	Kansas	1994–2003	22	+	+			-	
Judicial Council (2014)	Kansas	1994–2011	63		+			+\$24,690 per inmate per year	
Cohen et al. (2019)	Louisiana	2007–2016		+				+\$50,880 per inmate per year	



Roman et al. (2008)	Maryland	1978–1999	1,136	+851,000 per death sentence	+\$340,000 per death sentence	\$43,000 per death sentence	+\$96,000 per death sentence	+\$372,000 per inmate over a lifetime
Dieter (2009)	National Survey			+	+	+		+
Goss, Strain, and Blalock (2016)	Nebraska	1973–2014	119	+	+	+	+	+\$619,000 per year
Nevada Legislative Counsel Bureau (2014)	Nevada	2000–2012	28	–\$5,000 per death sentence to +\$86,000 per death sentence	+	+	+	=
Forsberg (2005)	New Jersey	1982–2004		+	+	+	+	+
Cook and Slawson (1993)	North Carolina	1990–1991	77		+\$13,561 per death sentence	+	+	–\$17,000 per inmate over a lifetime
Cook (2009)	North Carolina	2005–2006	1,034		+	+	+	+\$169,617 over the 2-year time period
Kaplan (2013)	Oregon	1984–2013		+	+		+	
Dieter (2010)	Pennsylvania	1976–2009		+	+	+		
Morgan (2004)	Tennessee	1993–2003	240	+	+	+	+	=
Washington State Bar Association (2006)	Washington	1981–2005	254		+\$118,511 per death sentence	+		
Collins et al. (2015)	Washington	1997–2014	147		+	+		–\$474,000 per inmate over a lifetime

Key: [+] means an item is more expensive; [-] means an item is less expensive; [=] means the expenses are equivalent; blank means there was no relevant information on the category in the study.

Just as in Table 1, the first four columns of Table 3 describe the basic characteristics of all the studies. The fifth column is also contained within Table 1. The remaining columns, however, deal specifically with various phases of the postconviction process when a death sentence was handed down as compared with the postconviction process when a sentence of LWOP was issued.

Four (4) studies provide some specific numerical estimate of the costs associated with direct appeals, three (3) provide some estimate of the costs associated with postconviction proceedings at the state level, and two (2) provide some estimate of the costs associated with postconviction proceedings in federal courts. Each of these shows that the various appeals are expensive. For direct appeals, costs range from an additional \$13,561 to \$340,000 per death sentence; for postconviction appeals at the state level, an additional \$43,000 to \$300,000 per death sentence; and for postconviction appeals at the federal level, from \$96,000 to \$1.1 million per death sentence.<sup>11</sup>

Ten studies provide some specific numerical estimate of the costs associated with incarceration. Eight (8) of these indicate that incarceration is more expensive for those who are given the death penalty. Of course, in states such as California, like Pennsylvania, and many other jurisdictions, which rarely executes those they condemn, it is clear that costs accumulate but there are few or no offsetting savings. Virginia<sup>12</sup> and Texas, which historically have executed a higher proportion of their death row inmates, may not have the same high costs associated with incarceration rates of prisoners sentenced to death. However, just two (2) studies out of 19 found what many would assume to be true logically: that incarcerating prisoners who had received LWOP was more expensive because death row prisoners are executed prior to their natural death. While, theoretically, one might expect to see lower incarceration costs for those sentenced to death as opposed to LWOP, several factors make this less likely: few of those condemned are executed; death rows are expensive to operate; and many inmates spend decades on death row before being executed (or seeing their sentence reversed).

## **2. Why the Kansas Death Penalty is Costly**

As in other states, and consistent with the United States Supreme Court's ruling that "death is different," capital cases in Kansas are more complex and involve more procedural safeguards than otherwise similar murder cases. As a result, litigating capital cases is more costly to state and local governments than if defendants had been prosecuted for murder without the possibility of a death sentence.

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<sup>11</sup> The Maryland study focuses only on "costs to Maryland taxpayers," JOHN ROMAN, AARON CHALFIN, AARON SUNDQUIST, CARLY KNIGHT & ASKAR DARMENOV, *THE COST OF THE DEATH PENALTY IN MARYLAND 1* (2008), <http://www.deathpenaltyinfo.org/CostsDPMaryland.pdf>., while the California study discusses costs to federal taxpayers, Arthur L. Alarcón & Paula M. Mitchell, *Executing the Will of the Voters?: A Roadmap to Mend or End the California Legislature's Multi-Billion-Dollar Death Penalty Debacle*, 44 *LOY. L.A. L. REV.* S41, S88-94 (2011).

<sup>12</sup> In March 2021, the state of Virginia repealed the death penalty statute and converted all existing death sentences to life without parole.

*What cases are capital eligible?*

Kansas law, as enacted in 1994, states that the death penalty is reserved for “intentional and premeditated killing” in one (1) of seven (7) circumstances. In addition, it is required that there be one or more aggravating circumstances, and that the defendant is an adult. Prosecutors are not required to seek the death penalty in cases that are capital eligible, and must indicate their intention to seek the death penalty no later than seven days after the time of arraignment.<sup>13</sup>

*How are capital cases sentenced?*

A bifurcated trial is required for cases where the prosecutor seeks the death penalty. The jurors must be death-penalty “qualified” during the jury-selection process, meaning potential jurors may be excluded if they would be unable to recommend the death penalty.<sup>14</sup> If the jury decides the defendant is guilty of capital murder during the first phase, then that same jury is seated for a sentencing trial.<sup>15</sup> During the sentencing trial, the jury is presented with evidence on both aggravating and mitigating circumstances to determine whether the defendant should be put to death or be sentenced to life without parole.<sup>16</sup> A sentence of death requires a unanimous finding that one or more aggravating circumstances exist and that the aggravating circumstances outweigh the mitigating circumstances, beyond a reasonable doubt.<sup>17</sup> The trial judge may only impose the death penalty if the jury so recommends.<sup>18</sup>

*In what specific ways are capital-trial proceedings more costly than if the prosecutor had decided to proceed non-capitally?*

As the Kansas’s Judicial Council Death Penalty Advisory Committee summarized in a 2009 Report, “[t]he capital case requires more lawyers on both the prosecution and defense teams, more experts on both sides, more pre-trial motions, longer jury selection time, and a longer trial.”<sup>19</sup> The 2009 Report further describes the post-conviction process as “litigated for years . . . difficult, and time consuming.”<sup>20</sup>

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<sup>13</sup> Kan. Stat. Ann. § 21-6617.

<sup>14</sup> See Kan. Stat. Ann. § 22-3410(2)(i) ; 2003 Report, at 5.

<sup>15</sup> Kan. Stat. Ann. § 21-6617; see also 2003 Report, at 5

<sup>16</sup> Kan. Stat. Ann. § 21-6617(c) and (e); Kan. Stat. Ann. § 21-6624 (aggravators); Kan. Stat. Ann. § 21-6625 (mitigators); see also 2003 Report, at 5.

<sup>17</sup> Kan. Stat. Ann. §21-6617(e); 2003 Report, at 6.

<sup>18</sup> Kan. Stat. Ann. § 21-6617; Kan. Legislative Research Department, *Death Penalty in Kansas*, 2 (Jan. 27, 2021), [http://www.kslegresearch.org/KLRD-web/Publications/JudiciaryCorrectionsJuvJustice/memo\\_genl\\_deboer\\_death\\_penalty.pdf](http://www.kslegresearch.org/KLRD-web/Publications/JudiciaryCorrectionsJuvJustice/memo_genl_deboer_death_penalty.pdf) (“2021 Report”).

<sup>19</sup> Judicial Council Death Penalty Advisory Comm., *Report of the Judicial Council Death Penalty Advisory Committee*, 9 (Dec. 4, 2009), <https://kansasjudicialcouncil.org/Documents/Studies%20and%20Reports/2009%20Reports/Death%20Penalty.pdf> (“2009 Report”).

<sup>20</sup> *Id.*

A non-exhaustive list of the ways in which capital-trial proceedings differ includes the following:

- Representation. Because capital trials tend to be complex and require specialized expertise, two (2) attorneys are typically appointed for the defense through BIDS. BIDS provides these attorneys either through the existing public defender offices or by appointing private counsel.<sup>21</sup> Public defense in capital cases is conducted at the trial-level by the capital defender office, on direct appeal by one (1) of two (2) capital appellate offices, and in post-conviction by the state habeas office.<sup>22</sup> Appointed counsel consists of either contract counsel who contract with BIDS to accept cases at rates reduced from market value when the public defender has a conflict or is unable to otherwise take on the case, or of non-contract assigned counsel who are private attorneys who meet established regulatory criteria<sup>23</sup> and who voluntarily serve on appointments panels in each judicial district.<sup>24</sup> Contract counsel typically cost more per case than do public defenders.<sup>25</sup> Only in rare cases does the defendant retain private counsel for all or part of the proceedings. The trial defense team generally also include—at minimum—a fact investigator and a mitigation specialist.<sup>26</sup> On the opposing side, the State is also typically represented by two (2) or more prosecutors.
- Motion practice. In every stage of a capital case, defense counsel have a duty to consider all legal claims potentially available and, if counsel decides to raise an issue, they must “present the claim as forcefully as possible[.]”<sup>27</sup> This involves litigating all possible legal and factual bases related to the issue, making supplemental presentations, and ensuring a complete record of the claim has been made. “Because of the possibility that the client will be sentenced to death, counsel must be significantly more vigilant about litigating all potential issues at all levels in a capital case than in any other case.”<sup>28</sup> As a member of the Death Penalty Advisory Committee put it in the 2004 Report, “[s]ince the law regulating the imposition of death is much more expansive it requires several dozen motions in, each case... More motion hearings are required and the hearings take longer

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<sup>21</sup> The Board of Indigents’ Defense Services, *A Report on the Status of Public Defense in Kansas*, 1 (Sept. 2020), <http://www.sbids.org/forms/Report%209-30-2020.pdf> (“BIDS Report”).

<sup>22</sup> *Id.* at 9

<sup>23</sup> See Kan. Admin. Regs. § 105-3-2(a)(4).

<sup>24</sup> BIDS Report, at 10

<sup>25</sup> *Id.* at 23

<sup>26</sup> Am. Bar. Ass’n, American Bar Association Guidelines for the Appointment and Performance of Defense Counsel in Death Penalty Cases, 31 Hofstra L. Rev. 913, 1028 (Rev. Ed. 2003), Guideline 4.1 commentary (“ABA Guidelines”); *see also* Judicial Council Death Penalty Advisory Comm., *Report of the Judicial Council Death Penalty Advisory Committee*, 24 (Jan. 29, 2004),

[https://kansasjudicialcouncil.org/Documents/Studies%20and%20Reports/Previous%20Judicial%20Council%20Studies/PDF/Death\\_Penalty\\_Adv\\_Comm\\_Jan04.pdf](https://kansasjudicialcouncil.org/Documents/Studies%20and%20Reports/Previous%20Judicial%20Council%20Studies/PDF/Death_Penalty_Adv_Comm_Jan04.pdf) (“2004 Report”).

<sup>27</sup> ABA Guidelines 10.8(B)(1).

<sup>28</sup> ABA Guidelines 10.8 commentary

than in a non-death case.”<sup>29</sup> As another committee member and trial judge noted “it is certainly not unusual for over 100 motions to be filed in a typical capital case.”<sup>30</sup> Based on our analysis of data from the 2014 Report, trials in which the death penalty is sought were preceded by 15 days of motions, compared with five (5) days for trials in which the death penalty was not sought.<sup>31</sup>

- Jury selection. Pools of potential jurors are usually larger in capital cases. Indeed, the 2003 Report found that capital cases averaged 230 jurors at the start of jury selection, compared to 89 jurors at the same point in other first-degree-murder cases.<sup>32</sup> The larger pool is in part because voir dire of potential capital jurors typically includes questioning by the prosecution on willingness to impose a death sentence, which often results in the exclusion of jurors who would otherwise be qualified to serve. Jury selection in capital cases in Kansas hence may take longer than it takes to pick a jury in a non-death case.<sup>33</sup>
- Trial. Capital trials typically last longer, with more expert witnesses. The 2003 Report estimated that death penalty cases were an average length of 28 days, compared to nine (9) days in non-death cases (from the start of jury selection to the end of trial).<sup>34</sup> The 2014 Report provided details for jury trials, showing 16 days for trials in which the death penalty was sought, and seven (7) days for murder cases in which the death penalty was not sought.<sup>35</sup>
- Sentencing phase. If the jury finds a defendant guilty of capital murder, then it continues to serve for a second phase of the trial to determine a sentencing recommendation of death or life without parole. The 2003 Report found that a separate sentencing proceeding added an average of six (6) days to trials.<sup>36</sup> Further, during the penalty phase a capital defense team is required both to put forward a mitigation presentation and to rebut the prosecution’s case on aggravation.<sup>37</sup> This testimony may require witnesses familiar with evidence relating to a client’s life and development as well as expert and lay witnesses who can provide medical, psychological, or sociological insights relevant to the client’s mental health, life history, and culpability, or otherwise support a sentence less than death or rebut aggravating evidence.<sup>38</sup> A member of the Death Penalty Advisory Committee summarized this issue by stating that in “a homicide in which death is not being sought as a punishment, I do not necessarily need to know my client’s life history. In ‘death’ cases it is essential that the defense team know all aspects of the accused’s

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<sup>29</sup> 2004 Report, at 11.

<sup>30</sup> *Id.* at 13

<sup>31</sup> 2014 Report, Appendix D.

<sup>32</sup> 2003 Report, at 15.

<sup>33</sup> 2004 Report at 11

<sup>34</sup> 2003 Report, at 15.

<sup>35</sup> 2014 Report, Appendix D.

<sup>36</sup> 2003 Report at 15.

<sup>37</sup> ABA Guidelines 10.11.

<sup>38</sup> *Id.*

family history...school records ...work history[.]”<sup>39</sup> This same committee member also noted that death penalty cases typically require more experts, who are not always local.<sup>40</sup>

- Direct appeal to the Kansas Supreme Court. A conviction for capital murder resulting in a death sentence entitles a defendant to automatic review by and appeal to the Kansas Supreme Court.<sup>41</sup> The Kansas Supreme Court is required to consider both the sentence and any errors asserted, and is further “authorized to notice unassigned errors appearing of record if the ends of justice would be served thereby.”<sup>42</sup> In the 2014 Report, the Kansas Supreme Court estimated that justices spend five (5) times more hours on capital cases than non-capital cases, and that a justice writing the opinion in a capital case spends 20 times the number of hours than in a non-capital case.<sup>43</sup> As retired Kansas Supreme Court Justice Six put it “[t]he gargantuan dimensions of a death case, the voluminous trial court record, the great number of issues, and the length of the briefs, not only take over your professional life but also occupy ‘personal family time’ during resolution of the issues on appeal.”<sup>44</sup> On the defense side, these appeals are handled by the BIDS’ Capital Appeals Office, the Capital Appeals and Conflicts Office, or appointed counsel. On the state side, these appeals are typically handled by the Attorney General’s Office.
- Post-conviction proceedings. If the Kansas Supreme Court affirms the death sentence, other challenges to the verdict or sentence may be brought through both state and federal courts. On the defense side, state appeals are handled either by the Kansas Capital Habeas Office or appointed counsel and on the government side, state appeals are typically handled by the Attorney General’s Office. It should be noted that the Kansas Supreme Court did not affirm any death sentence since the death penalty was reinstated in 1994 until 2015 (Robinson).
- Re-trial and re-sentencing. Since the death penalty was reinstated in 1994, appeals of death sentenced cases have been more successful than appeals of murder convictions that resulted in a sentence of life imprisonment. In this respect the experience in Kansas mirrors that of other states. Indeed, a 2000 study found that there is a nationwide reversal rate of over two (2) out of every three (3) capital judgments due to serious error.<sup>45</sup> Sometimes the result is to return the case to the state district court for re-trial or re-sentencing, which may be as costly, or even exceed the costs of the original trial.

A flow chart outlining the appeals process following a death sentence is attached as Appendix D.<sup>46</sup>

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<sup>39</sup> 2004 Report, at 10-11.

<sup>40</sup> *Id.* at 11.

<sup>41</sup> Kan. Stat. Ann. §21-6619.

<sup>42</sup> *Id.*

<sup>43</sup> 2014 Report, at 11.

<sup>44</sup> 2004 Report, at 10.

<sup>45</sup> See Leibman, et al. “A Broken System, Error Rates in Capital Cases 1973-1995” (Columbia University June 2000 research study); see also 2004 Report, at 33.

<sup>46</sup> 2003 Report, at 6.

*Are there additional corrections costs associated with the death penalty?*

In the past, Kansas has incarcerated death-sentenced defendants in a maximum-security prison with other prisoners who are being held in administrative segregation. That requirement has now been eased, so that administrative segregation is no longer a requirement.<sup>47</sup> However, as of the writing of this report, the Kansas Department of Corrections website still lists the nine (9) prisoners serving death sentences as remaining in “special management,” or segregated custody.<sup>48</sup> In 2009, the Judicial Council Death Penalty Committee estimated that housing a prisoner in administrative segregation costs roughly \$1000 more per a year than housing a prisoner with the general population.<sup>49</sup>

Kansas has not executed anyone since 1965, so there has been no attrition of the number of people serving death sentences due to execution. It appears, then, that if the death penalty had been abolished in, say, 2014, there would have been some subsequent savings associated with moving death-sentenced prisoners out of administrative segregation. Now if administrative segregation is no longer used for death-sentenced prisoners, that potential savings would no longer apply in the future.

*Is there any way in which the death penalty may reduce the cost of litigating murder cases?*

There is no persuasive empirical evidence supporting the conclusion that the death penalty reduces the cost of litigating murder cases.

First, some suggest that some number of defendants in capital murder cases may be more likely to plead guilty as part of a bargain to avoid the death penalty, which one would think would save the state the cost of a trial. However, this potential savings has not been demonstrated.<sup>50</sup>

Moreover, the costs incurred by a case that is charged capitally begin to incur immediately, given the more substantial pre-trial motion practice, investigation, and attorney team size; it is quite possible that a case that is prosecuted capitally and ultimately settled through a guilty plea would end up being more costly to the state than if it had been prosecuted non-capitally and went to trial.

Second, some have argued that the threat of the death penalty has some deterrent value, and in particular reduces the number of (premeditated) murders. If so, in addition to the obvious benefit to public safety, the resulting reduction in the number of murders would result in savings that should be netted out against the extra costs described above. But persuasive evidence for this deterrent effect is lacking, and there are plausible mechanisms by which abolition of the death

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<sup>47</sup> Kan. Dep’t. of Corrections, Policy Memorandum 21-01-001 (Jan. 19, 2021), <https://www.doc.ks.gov/kdoc-policies/AdultIMPP/chapter-12/12-136/view>.

<sup>48</sup> <https://www.doc.ks.gov/facilities/faq/custody>.

<sup>49</sup> 2009 Report, at 13.

<sup>50</sup> Kuziemko, I. (2006). “Does the Threat of the Death Penalty Affect Plea-Bargaining in Murder Cases? Evidence from New York’s 1995 Reinstatement of Capital Punishment,” 8 American Law and Economics Review 116.

penalty may actually reduce the murder rate. For example, if the death penalty were abolished, then criminal-justice-system resources currently devoted to capital cases would become available to prosecute other cases more intensively with the potential of preventing violent crime.<sup>51</sup> In any event, the evidence on the net effect of the death penalty on the murder rate is so weak as to be irrelevant to reaching a conclusion on this matter.<sup>52</sup>

*Summing up.*

In Kansas, as in other states, capital cases are more costly to adjudicate than they would have been if the death penalty had not been an option. These extra “super due process” costs have been documented in several earlier studies.<sup>53</sup>

### **3. Analysis of Costs in Kansas**

#### **a. The definition of “cost”**

We are interested in estimating the “cost” of the death penalty, but that term requires careful definition to be meaningful. The definition that is used here follows an earlier study of the costs of the death penalty in North Carolina,<sup>54</sup> and is similar to the definition used in the 2014 Report.

- State and local. “Cost” is the expenditures by state and local agencies in Kansas. Excluded from the accounting are private expenditures (by the defendant and his family, for example) or voluntary contributions by private citizens. Also excluded are any costs to the federal judicial system.
- Cash accounting. The accounting method utilized here to assess new costs is “cash accounting,” as opposed to “accrual accounting.”<sup>55</sup> The difference is largely a matter of timing. Cash accounting records a cost at the time of payment. Accrual accounting records a cost at the time it is obligated, even if payment is in the future. In the case of the death penalty, accrual accounting is speculative. When a death sentence is imposed, it is likely to initiate a costly process in the state and possibly federal courts that may continue for decades. The trajectory of the case following sentencing is highly uncertain, and may depend in part on future US Supreme Court rulings and new state laws. Documenting actual expenditures for some period of time (cash accounting) entails fewer assumptions and is as relevant to understanding the cost burden of the death penalty as accrual accounting.

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<sup>51</sup> See 2003 Report; 2004 Report, 2014 Report, 2021 Report.

<sup>52</sup> *Id.*

<sup>53</sup> *Id.*

<sup>54</sup> Philip J. Cook, *Potential Savings from Abolition of the Death Penalty in North Carolina*, 11 AM. L. & ECON. REV. 498 (2009).

<sup>55</sup> Jae K. Shim Ph.D., Joel G. Siegel Ph.D. CPA, et al., *Barron's Accounting Handbook* (Nov 1, 2014).



- Counterfactual. We seek to estimate the extra cost of processing capital murder cases that resulted from the procedural requirements associated with the death penalty. We focus on the 5-year period 2014 to 2018. One way to understand this accounting is as a comparison between actual costs and the costs that would have been incurred if the state had abolished the death penalty at the beginning of that period. In this hypothetical scenario, it is necessary to specify the alternative regime in some detail. In particular, we assume that the death sentence is no longer an option for cases that are capital eligible under current law. Conviction for capital murder would then result in LWOP. For the nine (9) individuals currently on death row, the death sentence would be replaced with LWOP.

**b. Review of previous cost estimates for Kansas**

Several reports on death penalty costs in Kansas have been issued by state agencies. The most notable studies have been the 2003 Report and the 2014 Report. Some additional information was provided by the Kansas Legislative Research Department in the 2021 Report. Each of these reports provides relevant information.

2003 Performance Audit Report. The 2003 Report estimates some costs for 22 murder cases that were tried and resulted in convictions between 1994 and 2003. During this period, there were 79 cases that met the statutory criteria for capital murder, of which 53 were capital charged, which is to say that the prosecutor filed notice of the intent to seek the death penalty.<sup>56</sup> The sample for this study included all 14 capital charged cases that went to trial. Seven (7) of those resulted in the death penalty and seven (7) in conviction but a sentence other than death.<sup>57</sup> In addition, the sample included eight (8) murder cases that were tried non-capitally, convicted, and given a long sentence.<sup>58</sup> Cases that were settled by guilty plea rather than trial were not included in this analysis.

Cost information was solicited from state and local agencies involved in all phases of the investigation and processing of murder cases, including local law enforcement officials, local courts and prosecutors, state courts, the Kansas Attorney General's Office, the Kansas Bureau of Investigation, BIDS, Legal Services for Prisoners, and the Department of Corrections.<sup>59</sup> For the most part, these agencies did not keep records of resources expended on specific cases, and instead provided rough estimates of costs incurred.<sup>60</sup>

The report uses the accrual accounting perspective and attempts to project the costs of cases following conviction. At the time of the report, none of the death penalty cases had completed the entire appeals process and only two (2) had completed the first appeal.<sup>61</sup> Although the Report

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<sup>56</sup> 2003 Report, at 4, 22.

<sup>57</sup> *Id.* at 4.

<sup>58</sup> *Id.* at 32.

<sup>59</sup> *Id.* at 1.

<sup>60</sup> As the 2003 Report notes, no agency tracks court costs or prosecutorial costs related to death penalty cases. *Id.* at 30.

<sup>61</sup> 2003 Report at 2.

concluded that actual cost figures for death penalty and non-death penalty cases in Kansas are impossible to obtain due to limitations such as a failure to keep case-specific time records, difficulty predicting future appeals, and a failure of the Kansas Supreme Court to estimate time spent on capital cases, it did estimate that the median death penalty case cost the state \$1.2 million through execution, about 70 percent more than the estimated cost of a median non-death penalty case.<sup>62</sup>

Here is a summary of the actual costs estimated for investigation and trial:

**Table 4: Investigation and Trial costs to state and local government** (all figures in thousands)

	Capital trial Conviction Death sentence N=7	Capital trial Conviction Other sentence N=7	Capital trial Conviction All cases N = 14	Non-capital trial Conviction Long prison sentence N=8
Total	\$5,205	\$2,034	\$7,239	\$878
Mean	\$744	\$291	\$517	\$110
Median	\$657	\$276	\$363	\$86

Source: 2003 Report, at 38.

The report notes that the samples are necessarily small, and that the costs of investigation and trial differ widely depending on the complexity of the case.<sup>63</sup> It appears that among the 14 capital trials, those that ultimately resulted in a death sentence were systematically more complex than the others since they were more costly. Ideally, there would be some way to adjust for the complexity of the case before making comparisons, but that was not attempted in the report. In the third column of Table 4 above, the 14 cases are combined. The combined category represents all capital trials in Kansas between 1994, when the death penalty was reinstated, and 2003. These 14 cases can be compared to the eight (8) cases that were utilized in this study to represent capital-eligible cases that were prosecuted non-capitally and resulted in a conviction at trial. Note that the average cost through conviction of the capitally prosecuted cases was nearly five (5) times as high as for the cases that were not prosecuted capitally (\$517,000 compared to \$110,000). This large difference in average costs is at least in part due to the “super due process” requirements that are unique to capital cases, discussed above.

We are seeking to understand how much those 14 capital trial cases would have cost the state if the death penalty had not been an option, but all else were the same. The sample of eight (8) non-capital murder cases serves as a valid basis for estimating the counterfactual if it is similar to the group of capitally prosecuted cases with respect to average complexity. We note that the

<sup>62</sup> *Id.* at 10.

<sup>63</sup> *Id.* at 10-11.

eight (8) cases were capital eligible, at least at the time they were prosecuted, but detailed information about these cases is lacking. If we assume that they are similar to the 14 capital cases, then it is possible to compute the extra cost borne by the State as a result of proceeding capitally in the 14 capital cases. The 14 capital cases cost on average \$407,000 more than the average case that was not prosecuted capitally. The total extra cost for the period in question, 1994 – 2003, is then \$5,698,000, or about \$570,000 per year statewide. Thus, without the death penalty, processing these 14 murder cases through trial and conviction would arguably have been much less costly.

Finally, during that same 10-year period the death penalty imposed additional costs. The 2003 Report does not consider the additional costs of capital processing for eligible cases that resulted in a plea deal. In addition, the cost of the direct appeals to the Kansas Supreme Court for the seven (7) death-sentenced cases should be included and netted against the average cost of appeal for the murder cases that resulted in a lesser sentence. Those appeals were underway in 2003 but only completed for two (2) of these cases.

2014 Report by the Judicial Council Death Penalty Advisory Committee. The 2014 Report adopts a cash accounting framework for fiscal years 2004-2011 and, unlike the 2003 Report, includes all capital-eligible cases filed between 2004-2011.<sup>64</sup> During that eight-year period, the State incurred costs associated with 41 capital-eligible cases initiated during this period, and costs associated with appeals of death sentences and the consequences of those appeals. The 2014 Report also includes an accounting of the number of days that capital cases were in the trial court for any reason, including pre-trial motions, trial, and initial sentencing. These “court days” tabulations include both the cases included in the 2003 Report, and the “new” cases initiated during fiscal years 2004-2011.

The Committee sent surveys regarding 63 total cases (41 new capital eligible cases and 22 originally reviewed in the 2003 Report) to the Kansas Supreme Court, Attorney General’s Office, BIDS, Kansas Bureau of Investigation, district courts, local prosecutors’ offices, county clerks’ offices, and local sheriff and police departments.<sup>65</sup> A number of entities, including local prosecutors, police departments, and the Attorney General’s Office, either did not respond or could not provide the requested information as no case-specific records were kept.<sup>66</sup> The Committee was able to tabulate data on the number of days each case was in the trial court using docket sheets.<sup>67</sup>

The following tabulations are based on the data presented in the 2014 Report and its detailed appendixes.

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<sup>64</sup> 2014 Report, at 1; 5.

<sup>65</sup> *Id.* at 3.

<sup>66</sup> *Id.* at 3-4.

<sup>67</sup> *Id.* at 12.

*Budgetary cost of defense and district trial court work through initial trial phase.*

For the fiscal years 2004-2011, 41 cases that were deemed capital-eligible were initiated in Kansas courts. Of these, five (5) were eventually dismissed, and two (2) involved underage defendants, leaving the 34 cases that were the focus of the 2014 Report.<sup>68</sup> Prosecutors sought the death penalty in 19 of these cases, including 10 that went to trial.<sup>69</sup> We designate these cases as “capitally prosecuted” or just “capital.” As discussed above, a capital case requires a more extensive defense regardless of whether the case ultimately goes to trial. For the remaining 15 cases, six (6) went to trial.

The Committee grouped the 34 cases according to whether the prosecutor had sought the death penalty (“capital cases”) or not (“non-capital cases”). There were four (4) cases that were classified as “non-capital cases” in the 2014 Report even though the prosecutor had *initially* sought the death penalty. In our judgment those cases should be classified as “capital,” since they did generate extra costs for the early phase of the prosecution. We re-computed the relevant statistics accordingly. In practice, the statistical impact of this reclassification is small.

The Committee canvassed a number of state and local agencies to obtain cost estimates for these cases. The most comprehensive response was from BIDS. BIDS provided defense-cost estimates for 32 of the 34 cases, only lacking data on two (2) of the non-capital prosecutions.<sup>70</sup> Table 5, below, reports averages for these cases, grouped as in Table 4. The average defense cost for capital cases was \$257,000 and for non-capital cases was \$59,000 implying a difference of \$198,000. Since there were 19 capital cases initiated during the period 2004-2011, the implication is that the overall “extra” defense cost was \$3,762,000, or \$470,000 per year.

**Table 5. Average BIDS Costs at trial phase for capital-eligible cases initiated FY 2004-2011**  
(all figures in thousands)

	Capital cases	Non-Capital Cases	Difference
Trial	\$367 (n=10)	\$97 (n=5)	\$271
Plea	\$135 (n=9)	\$35 (n=8)	\$99
Overall	\$257 (n=19)	\$59 (n=13)	\$198

Source: Computed from data in 2014 Report, Appendix A

Note: No data are available for 2 of the non-capital cases.

Table 6, below, shows similar cost data based on responses received from the district courts. District courts reported the operating costs associated with court days, including salary

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<sup>68</sup> *Id.* at 5.

<sup>69</sup> *Id.* at Appendix A.

<sup>70</sup> *Id.* at 1, 7, Appendix A.

information.<sup>71</sup> Extra costs to the district courts are associated with the extra days in court required for a capital prosecution. By the same computation as before, “extra” district court costs averaged \$38,000 per capital case. Since there were 19 capital cases, the total was added up to \$722,000, or about \$90,000 per year.

**Table 6. Average District-Court Costs at trial phase for capital-eligible cases initiated FY 2004-2011** (all figures in thousands)

	Capital cases	Non-capital cases	Difference
Trial	\$69 (n=10)	\$17 (n=4)	\$52
Plea	\$16 (n=7)	\$3 (n=6)	\$13
Overall	\$47 (n=17)	\$9 (n=10)	\$38

*Source: Computed from data in 2014 Report, Appendix A*

*Note: No data are available for 2 of the capital cases and 5 of the non-capital cases.*

Combining defense costs and district court costs implies a combined average “extra” cost of \$560,000 per year incurred by the state during the 8-year period under consideration.

These estimates do not include the extra burden on prosecutors when representing the state for capital cases. The prosecutorial time devoted to a case during pre-trial and trial is in part indicated by the number of days in court (see below), as well as the time and effort devoted by the defense.

The 2014 Report also provided updated data on the costs of the 22 cases analyzed in the 2003 Report.<sup>72</sup> BIDS reported that the costs of appeals for the seven (7) death-sentenced cases amounted to \$1,057,000, compared with just \$56,000 for the seven (7) cases that were initially capitally prosecuted but did not result in a death sentence, and therefore proceeded as a non-capital case on appeal.<sup>73</sup> Even smaller were the costs associated with the cases that were tried non-capitally, with a total of \$1,000 in representation costs on appeal.

All seven (7) of the death-sentenced cases incurred new costs in trial court following their direct appeals. In some cases the death penalty was vacated and the case returned for re-sentencing. The total cost to BIDS of trial-court representation was \$817,000, including resentencing.<sup>74</sup> There were zero costs associated with trial-court proceedings for cases that did not receive the death penalty.

<sup>71</sup> 2014 Report, at 5.

<sup>72</sup> *Id.* at 9-10.

<sup>73</sup> *Id.* at Appendix C.

<sup>74</sup> *Id.*

Total defense representation costs for the seven (7) cases sentenced to death prior to 2004 was \$1,874,000. There were essentially no costs for the murder cases that were convicted following a non-capital trial. The death-penalty-related cost averages to about \$234,000 per year for the period 2004-2011.

*Days in court.*

The Committee tabulated data on district-court appearances from court dockets for the 34 cases that formed the focus of the 2014 Report and the 21 cases that formed the focus of the 2003 Report (removing 1 juvenile case) for a total sample of 55 cases. Recall that the 2003 Report’s sample of cases is not comprehensive. It included all capital cases that went to trial but excluded those that were settled by plea. For that reason, the estimate of “extra” court days understates the true total. The case list used in the 2014 Report is comprehensive.

For each case, the number of days in which there were district court proceedings were tabulated. This count included court days for motions, trial, and sentencing. In Table 7, cases are grouped according to whether or not the prosecutor ever sought the death penalty (denoted “capital case”), and whether the case went to trial or was settled by a guilty plea. While the Committee classified four (4) cases in which the death penalty was initially sought but eventually withdrawn as non-capital, we classified these cases as capital. Our rationale is that those cases were capitally prosecuted for a while, which would have generated extra costs.

**Table 7. Average number of court days for capital-eligible murder cases initiated between 1994 - 2011**

	Capital cases	Non-Capital cases	Difference
Trial	39.5 [N=24]	16.2 [N=13]	23.4 [N=37]
Plea	15.2 [N = 9]	5.6 [N=9]	9.7 [N=18]
Overall	32.9 [N = 33]	11.8 [N=22]	21.1 [N=55]

Source: *Computed from data in 2014 Report, Appendix D*

Averages are much higher for cases that were prosecuted capitally both for those that went to trial and those that were settled by a guilty plea. In particular, the capitally prosecuted cases that went to trial utilized between 17 and 90 days in court with an average of 39.5, whereas the range for non-capital trials was from nine (9) to 30 with an average of 16.2 days.<sup>75</sup> Processing a capital case through trial takes on average over 23 additional days in district court than processing a

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<sup>75</sup> *Id.* at Appendix D.

non-capital case through trial.<sup>76</sup> (That estimate presumes that the sample of capitally prosecuted cases is a reliable basis for estimating the number of court days that would have been required if they had been prosecuted non-capitally.) All together, capital prosecutions required 561.6 “extra” days in district court, or an average of over 31 additional days per year.

For cases that were settled by plea agreement, the capital cases required 9.7 more court days on average than the non-capital cases, adding substantially to the burden on court usage.

During that period, the trial courts also had proceedings in cases in which a death sentence was vacated on appeal, but no data is available on the number of court days for those proceedings.

*Budgetary costs for appeals.*

The 2014 Report also tabulates defense representation costs for appeals following convictions for cases initiated during fiscal years 2004-2011. Five (5) defendants were sentenced to death, and they generated almost all of the costs of representation on appeal: a total of \$844,000.<sup>77</sup> An additional five (5) cases were prosecuted capitally but did not result in a death penalty; representing them on appeal cost BIDS \$72,000, less than 10% of total cost of the death-sentenced cases.<sup>78</sup> The 15 cases that were not prosecuted capitally cost \$54,000 in BIDS cost of representation on appeal.

It is clear that for capital-eligible murder cases, the great bulk of representation costs on appeal are due to cases that are actually sentenced to death. If the death penalty had not been available, the savings to the state for extra representation costs associated with appeals and subsequent trial-court proceedings would have been about \$2,718,000, or \$340,000 per year during the period 2004-2011, as follows:

- \$1,057,000 – BIDS appellate representation of seven (7) sentenced to death before 2003
- \$817,000 – BIDS representation of those seven (7) defendants in subsequent trial-court proceedings
- \$844,000 – BIDS appellate representation of five (5) sentenced to death, 2003-2011
- \$2,718,000 – total, representation of all death-sentenced defendants, 2003-2011

The 2014 Report does not include estimates of the cost of representing the State during appeals and subsequent proceedings in trial court, although that cost is clearly substantial. It does offer some information on the Kansas Supreme Court’s burden associated with reviewing appeals. In response to a query, the Court estimated that over the previous three (3) years, the staff had devoted 13,600 hours to appeals of death-penalty cases.<sup>79</sup> Generally speaking, the Court devotes 20 times as much time to death-penalty appeals than other murder cases.

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<sup>76</sup> 2014 Report, at 13.

<sup>77</sup> *Id.* at A-1.

<sup>78</sup> *Id.* at A-1.

<sup>79</sup> *Id.* at 11.

*Summary estimate for the period 2004-2011.*

The 2014 Report provides data to estimate several of the cost elements for the period 2004-2011. Gathering the estimates detailed above indicates a total of \$7,202,000 for this 8-year period, or \$900,000 per year:

- \$3,762,000 – Extra costs of defense at trial, capital cases filed 2004-2011
- \$722,000 – Extra district court costs for capital cases filed, 2004-2011
- \$2,718,000 – Representation of all death-sentenced defendants following sentencing
- \$7,202,000 – Total, defense representation and district court costs

We note again that these costs reflect actual expenditures by state and local government agencies during the period in question. The total omits several important costs for which no information was provided in the 2014 Report, including the extra costs of prosecution in capital cases, state representation during appeal of death sentences, and the cost to the Kansas Supreme Court of appellate review of death penalty cases. If data on these items were available, the annual figure would be well over \$1 million during that period.

### **c. New Kansas Cost Study on Costs During 2014-2018**

Since the 2014 Report, the death penalty has continued to generate extra costs to state and local government, both from murder cases in which the prosecutor chose to seek the death penalty, and from appeals and other litigation involving defendants who were previously sentenced to death. In this section, we focus on the 5-year period 2014-2018, and seek to estimate the extra death-penalty-related cost of processing murder cases. As explained above, we use a cash-accounting framework for this period and pose the question of how much money the State would have saved on processing murder cases if the death penalty had been abolished before 2014.

*Court activity related to the death penalty, 2014-2018.*

During these five (5) years, 22 capital-eligible murder cases were filed in Kansas district courts. In nine (9) of these cases the prosecutor filed notice of seeking the death penalty. One of the defendants was sentenced to death (Cross) and three ended in a plea agreement. Eleven (11) of the 22 filed cases were not resolved during the 5-year window, and in fact five (5) of the capitally prosecuted cases are still pending as of 2022.

Ten other capital-eligible cases were filed before 2014 but were concluded in district court during the 5-year window of interest and hence generated costs during that period. One of these cases (Flack) was filed in 2013 and the defendant was convicted and sentenced to death in 2016.

In sum, there were a total of 17 capital murder cases that were resolved or filed during the period 2014-2018. Only two (2) of these cases were both filed and resolved during that period.



As of January 1, 2014, there were eight (8) death-sentenced prisoners in Kansas whose cases were under appeal before the Kansas Supreme Court or otherwise litigated during the 2014-2018 window.<sup>80</sup>

*Extra Costs of Defense.*

To review, the extra cost generated by the death penalty to the State includes, but is not limited to, the following items:

1. The extra cost of defense during the trial phase in capital cases, and representation of death-sentenced defendants during direct appeal and subsequent litigation;
2. The extra cost of prosecution during the trial phase in capital cases, and representation of the State during direct appeal and subsequent litigation involving death-sentenced defendants; and
3. The extra cost to the district courts resulting from the greater number of days in court (associated with motion practice and longer trials) and Kansas Supreme Court (due to death penalty appeals), as well as the likelihood that death-sentenced cases return to district court following a successful appeal.

Unfortunately, there is scant data available for quantifying these costs. The best available information is on the costs of indigent defense, which is provided by BIDS. The annual BIDS budgets break out the budget for “Capital Defense.”

“Capital Defense represents individuals charged with capital cases, administers a system by which courts may appoint qualified attorneys to represent indigents charged with capital offenses, serves as a resource for attorneys assigned to capital cases, develops training programs and materials for persons involved in capital cases, maintains statistical records about the use of capital punishment, and provides expert and investigative services to trial counsel in capital cases.

“Expenditures for the unit include costs of in-house defense, contracts with private attorneys in conflict cases or because of staff overload, and costs associated with capital cases on appeal.”<sup>81</sup>

The actual budget for Capital Defense doubled between FY2014 and FY2018 and was still larger in FY2019, reaching nearly \$3 million in that year. This increase is associated with the increasing costs of death-penalty appeals and other litigation from cases that had first been sentenced years before.

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<sup>80</sup> Kleypas, Robinson, J. Carr, R. Carr, Gleason, Cheever, Thurber, Kahler.

<sup>81</sup> Kansas Legislative Research Department, *Budget Analysis Report FY17, Board of Indigent Defense Services*, 233, <http://www.kslegresearch.org/KLRD-web/Publications/BudgetBookFY17/2017BudgetAnalysisRpts/BIDS.pdf> (“FY2017”).

Fiscal Year    Budget (all figures in thousands)

2014	1,185.4 <sup>82</sup>
2015	1,523.5 <sup>83</sup>
2016	1,662.2 <sup>84</sup>
2017	1,943.3 <sup>85</sup>
2018	2,430.6 <sup>86</sup>
2019	2,966.7 <sup>87</sup>

The Kansas fiscal year begins July 1, while our 5-year window follows the calendar year. An estimate of total BIDS expenditures on capital defense for the five (5) calendar years (2014-2018) is \$9,635,600, which includes half of the FY2014 budget and half of the FY2019 budget. Thus the expenditure for indigent defense during this period averaged \$1,927,800 annually, or close to \$2 million.

The BIDS summary budget does not distinguish between defense expenditures during the trial phase, and defense expenditures for death-sentenced defendants. During the trial phase, the counterfactual (no death sentence, so no “super due process” requirements) would apply to cases in which the prosecutor was seeking the death sentence. Defense representation would have been costly even if the death sentence were not available. Based on the data from the 2014 Report, we estimate that the cost of defense of capital-eligible murder cases in which the prosecutor did not seek the death penalty averaged \$59,000. An adjustment for general inflation implies an increase to over \$69,000 (based on Consumer Price Index, which increased 17.6% from 2007 to 2016). That estimate can be applied to the two (2) capital cases that were filed and resolved during the window, and a share of these expenses to the 15 cases that were either resolved during the window (but filed earlier), or filed during the window (but not resolved). We assume that half the total expense of defense was incurred for those cases. The 15 partial cases are then the equivalent of 7.5 complete cases, for a total of 9.5. The implied cost (9.5 x \$69,000)

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<sup>82</sup> Kansas Legislative Research Department, *Budget Analysis Report FY16, Board of Indigent Defense Services*, 1206, <https://www.kslegresearch.org/KLRD-web/Publications/BudgetBookFY16/2016BudgetAnalysisRpts/BIDS.pdf>.

<sup>83</sup> FY2017, at 233.

<sup>84</sup> Kansas Legislative Research Department, *Budget Analysis Report FY18, Board of Indigent Defense Services*, 942, <https://www.kslegresearch.org/KLRD-web/Publications/BudgetBookFY18/2018BudgetAnalysisRpts/BIDS.pdf> (“FY2018”).

<sup>85</sup> Kansas Legislative Research Department, *Budget Analysis Report FY19, Board of Indigent Defense Services*, 240, <http://www.kslegresearch.org/KLRD-web/Publications/BudgetBookFY19/2019BudgetAnalysisRpts/BIDS.pdf> (“FY2019”).

<sup>86</sup> Kansas Legislative Research Department, *Budget Analysis Report FY20, Board of Indigent Defense Services*, 1135, <http://www.kslegresearch.org/KLRD-web/Publications/BudgetBookFY20/2020BudgetAnalysisRpts/BIDS.pdf>.

<sup>87</sup> Kansas Legislative Research Department, *Budget Analysis Report FY21, Board of Indigent Defense Services*, 1180, <https://www.kslegresearch.org/KLRD-web/Publications/BudgetBookFY21/2021BudgetAnalysisRpts/BIDS.pdf>.

is \$655,500, the cost of defending these cases without possibility of the death penalty. No such deduction is needed for the cost of death-penalty appeals and other litigation following sentencing, since the cost of representing LWOP-sentenced defendants on appeal has generally been negligible in practice.

Much of the BIDS Capital Defense budgets support representation of death-sentenced defendants on appeal. It is informative in this respect to read some of the notes in the BIDS budget justification:

- In the FY2018 budget request, BIDS requested \$380,000 as a supplement in FY2017 “in order to provide counsel for state capital habeas proceedings in two capital punishment cases: the John E. Robinson case (\$200,000) and the Scott Cheever case (\$180,000).”<sup>88</sup>
- The 2017 Legislature added \$1.1M for FY2018 and \$1.4M for FY2019 for state capital habeas proceedings, estimated by case as: Robinson (\$350,000 in each FY2018 and FY2019), Cheever (\$200,000 in each FY2018 and FY2019), Gleason (\$250,000 in FY2018 and FY2019), the Carr brothers (\$250,000 in each FY2018 and FY2019), and Kleypas (\$300,000 in FY2019).<sup>89</sup>

Additionally, from FY2017 to FY2019, the capital defense unit increased in staff size from 18<sup>90</sup> positions to 27 in-house capital defense positions. As noted before the increase, “two capital habeas unit attorneys oversee seven cases and four death penalty unit attorneys oversee ten cases.”<sup>91</sup> The capital defense program has been a growing fraction of the overall BIDS budget and number of full time employees.

In sum, the BIDS capital defense budget for the 5-year window was \$9,635,600. From this amount we deduct an estimate of the cost of defending the capital cases under the counterfactual assumption that they had been prosecuted non-capitally, \$655,500. The net amount is then \$8,980,100.

*Extra cost of prosecution and representation of the State.*

The Attorney General’s Office is responsible for representing the State of Kansas in appeals before state and federal appellate courts, and for providing legal advice, support, and aid to Kansas counties and district attorneys (The 2003 Report found that the bulk of prosecution costs in capital cases was incurred by the State as opposed to local jurisdictions).<sup>92</sup> Unfortunately the Attorney General’s Office has not provided budget information or other information relevant to

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<sup>88</sup> FY2018, at 946.

<sup>89</sup> FY2018, at 949, 953; FY2019, at 237

<sup>90</sup> FY2019, at 250;

<sup>91</sup> FY2019, at 243; FY2021, at 1089.

<sup>92</sup> 2003 Report, at 9-10.

cost of representation.<sup>93</sup> Local jurisdictions also failed to provide any data on the costs of prosecution.

In the absence of any directly relevant data, we can only estimate the extra cost of prosecuting capital cases to the State during appeals and post-conviction proceedings for death-sentenced defendants. Some guidance is provided by the 2003 Report, which found that defense expenditures were 5.3 times as high as prosecution expenses in capital cases.<sup>94</sup> That was for the trial phase, and does not necessarily apply to litigation following a death sentence. Assuming the ratio applies to both, and that it is a reasonable approximation during the period under consideration, we can estimate the cost of prosecution and representation of the state to have been \$1,818,000 during 2014-2018. From that must be deducted the counterfactual cost of prosecuting the capital cases non-capitally. Assuming the cost for a non-capital prosecution is similar to the cost of defense in such cases, we use the same deduction of \$655,500. As a result, we estimate the extra costs of prosecution due to the death penalty for 2014-18 was \$1,162,500.

#### *Extra cost in District Courts.*

We can follow a similar strategy to estimate the costs in the District Courts from 2014-2018. Based on our analysis of the 2014 Report, we estimated that the extra costs of capital cases to the District Courts amounted to \$38,000 per case.<sup>95</sup> Multiplying this by the 9.5 cases during our 5-year period, and taking inflation into account, results in a total estimate of \$425,000.

#### *Summary estimate of Extra Costs 2014-2018.*

We estimate that Kansas state and local agencies incurred the following extra costs between 2014-2018:

- \$8,980,100 – Defense in capital cases and subsequent representation of death-sentenced defendants;
- \$1,162,500 – Prosecution in capital cases and representation of the State for appeal of death sentences;
- \$425,000 District courts; and
- \$10,567,600 – Total sum of defense, prosecution, and district court costs.

Our conclusion is that these extra costs amounted to approximately \$2.1 million per year to state and local agencies.

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<sup>93</sup> See Appendix C.

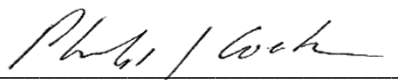
<sup>94</sup> 2003 Report, at 12, Appendix D (showing the prosecution cost for the 14 capital cases totaled \$750,000, and the defense totaled \$3,962,000).

<sup>95</sup> 2014 Report, Appendix A.

This estimate understates the true total of public costs, since it omits the costs to the Kansas Supreme Court of processing death-penalty appeals, and the extra costs of holding death-sentenced prisoners in administrative segregation, which was required from 2014-2018.

We deliberately excluded any extra costs to private citizens, including defendants and their families. We also excluded the costs to federal courts; for example, the Supreme Court of the United States heard several appeals of rulings by the Kansas Supreme Court concerning the constitutionality of the death penalty during the period under consideration.

The bottom line is that the death penalty cost government agencies in Kansas over \$2 million per year during the period 2014-2018. If the death penalty had been abolished before 2014, that amount could have been returned to taxpayers or reallocated to serving other public purposes.



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Philip J. Cook



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Frank R. Baumgartner

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# APPENDIX A

December 8, 2021

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Education:

B.A. (with high distinction) University of Michigan, 1968  
Ph.D. (Economics) University of California, Berkeley, 1973

Positions held:

2017-	Terry Sanford Professor Emeritus of Public Policy, Professor Emeritus of Economics
2018-2019	Visiting scholar, Collegio Carlo Alberto, Turin, Italy (4 months total)
2014-15	Fellow, Russell Sage Foundation, New York
2009-2013	Senior Associate Dean for Faculty, Sanford School of Public Policy
2008-9	Schelling Visiting Professor of Public Policy, University of Maryland
2003	Residency, Bellagio Study and Conference Center (September-October)
2000	Visiting Scholar, Kennedy School of Government, Harvard University
1997-99	Director, Sanford Institute of Public Policy; Chair, Department of Public Policy Studies
1994-2017	ITT/Terry Sanford Professor of Public Policy
1992-2017	Professor of Public Policy Studies, Economics, & Sociology, Duke University
1989-90	Visiting Professor, Fuqua School of Business, Duke University
1985-89	Director, Institute of Policy Sciences and Public Affairs, Duke University and Chairman, Department of Public Policy Studies

1984-2017 Professor of Public Policy and Economics, Duke University  
1979-84 Associate Professor; 1973-79 Assistant Professor, Duke University  
1982 Expert (part time) Office of Policy and Management Analysis, Criminal Division, U.S. Department of Justice  
Fall 1980 Visiting Scholar, Institute for Research in Social Science, University of North Carolina, Chapel Hill

Fellowships and Academic Honors:

Stockholm Prize in Criminology, 2020

Fellow of the Academy of Experimental Criminology, 2012-

Raymond Vernon Memorial Prize for best paper in *JPAM*, 2008

Richard A. Stubbing Teacher Mentor Award, 2008

Member, National Academy of Medicine (formerly Institute of Medicine), 2001-

*Who's Who in America 2001 and subsequent issues*

Fellow of the American Society of Criminology, 2000-

Vernon Prize for best paper in *Journal of Policy Analysis & Management* (v. 16), 1997

Research Associate, National Bureau of Economic Research 1996-

*Who's Who in Economics* 3rd edition (1996)

Kenneth J. Arrow Award (for best paper published in health economics), 1994

National Science Foundation Fellowship, 1968-1970

Special Career Fellowship (Ford Foundation), 1968-1972

National Merit Scholar, 1964-1968

Sims Award, Economics Department, University of Michigan, 1967

Phi Beta Kappa

## Publications

### A. Health and Safety Regulation

#### 1. Books and Edited Volumes

PJ Cook and JW Vaupel, eds. Law and Contemporary Problems, Autumn 1976. Symposium entitled "Valuing Lives: When and How Should Society Spend its Scarce Resources to Decrease Mortality"

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Chapters 10 and 12 serialized in Milken Economic Review 10(1) First Quarter, 2008

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#### 2. Articles

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- PJ Cook and J Ludwig "The Social Costs of Gun Ownership" Journal of Public Economics 90(1-2), January 2006: 379-391.
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- PJ Cook and J Ludwig "Aiming for evidence-based gun policy" Journal of Policy Analysis and Management 25(3), Summer 2006: 691-735.
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“Robbery” in Michael Tonry (ed.) Oxford Handbook on Crime and Public Policy Oxford University Press, 2009.

PJ Cook, J Ludwig, and AM Samaha “Gun Control After *Heller*: Threats and Sideshows from a Social Welfare Perspective” UCLA Law Review 56(5), June 2009: 1041-1093.

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PJ Cook, J Ludwig, and AM Samaha “Gun Control After *Heller*: Litigating against Regulation” in Daniel Kessler, ed., Regulation versus Litigation Chicago: University of Chicago Press, 103-135.

PJ Cook, A Braga, and MH Moore “Gun Control” Crime and Public Policy New York: Oxford University Press, 2010: 257-292.

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P.J. Cook and J.J. Donohue. Policy Forum: Gun-Violence Research: Saving lives by regulating guns: Evidence for policy. Science 358(6368), Dec. 2017, p. 8.

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"Gun Theft and Crime" Journal of Urban Health 95(3), 2018: 305-312.

AA Braga and PJ Cook "The Association of Firearm Caliber With Likelihood of Death From Gunshot Injury in Criminal Assaults" JAMA Network Open, (released July 27, 2018).

PJ Cook, AA Braga, BS Turchan, LM Barao. Why Do Gun Murders Have A Higher Clearance Rate than Gunshot Assaults? Criminology & Public Policy August 1, 2019.

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L Barao, AA Braga, B Turchan, PJ Cook. Clearing gang- and drug-involved nonfatal shootings. Policing: An International Journal. 2021.

P.J. Cook, A. Berglund. "More and better video evidence for police investigations of shootings: Chicago's area technology centers. Policing: An International Journal. 2021

### 3. Commentaries

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PJ Cook and J Ludwig "What did the sniper case teach us? Lessons in Gun Control" News & Observer Nov. 3, 2002, 25A.

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- P.J. Cook, *Gun Point*, Times of India - Education Times (December 24, 2012)
- P.J. Cook, *Craig Whitney's Living With Guns*, New York Times (December 26, 2012)
- P.J. Cook, *How we can reduce gun violence*, Chronicle of Higher Education (January 8, 2013)
- P.J. Cook *How dangerous people get their guns*, The Conversation (Posted January 5, 2016) <http://theconversation.com/how-dangerous-people-get-their-guns-52345>
- P.J. Cook “At last, a good estimate of the magnitude of the private-sale loophole for firearms” (editorial) Annals of Internal Medicine Jan. 3, 2017.
- P.J. Cook Ariadne E. Rivera-Aguirre Magdalena Cerdá Garen Wintemute  
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- P.J. Cook, “Expanding the Scope of the Public Health Approach to Gun Violence Prevention” (editorial) Annals of Internal Medicine Oct. 30, 2018.
- AA Braga and PJ Cook “Guns do Kill People” Penn Regulatory Review. Nov. 5, 2018  
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- P.J. Cook and J. Ludwig Nov. 6, 2018: “Policing Guns” SSRC Items  
<https://items.ssrc.org/policing-guns-why-gun-violence-is-not-just-a-public-health-problem/>
- P.J. Cook and J. Ludwig Nov. 13, 2018: “The Economic Approach to Evaluating Gun Control Policies” Penn Regulatory Review  
<https://www.theregreview.org/2018/11/13/cook-ludwig-economic-approach-evaluating-gun-control-policies/>
- P.J. Cook. “Gun Policy Research: Personal Reflections on Public Questions” in J. Carlson, K.A. Goss and H. Shapira (eds.) Gun Studies: Interdisciplinary Approaches to politics, Policy, and Practice New York: Routledge, 2019.

## E. Income Distribution

### 1. Book

RH Frank and PJ Cook The Winner-Take-All Society (New York: The Free Press, 1995). Named a "Notable Book of the Year, 1995" by the *New York Times Book Review*; named one of the ten Best Business Books of 1995 by *Business Week*; given The Critics' Choice Award 1995-96 by the *San Francisco Review of Books*. Paperback edition (Penguin Books, 1996). Named "One of Ten best books of the year, 1996" by *The China Times*. Portuguese, Korean, Chinese, Japanese and Polish editions.

RH Frank and PJ Cook "Preface to the new edition" The Winner-Take-All Society (London: Virgin Books, Random House, 2010).

### 2. Article

PJ Cook and RH Frank "The Growing Concentration of Top Students at Elite Schools" in Charles T. Clotfelter and Michael Rothschild, eds., Studies of Supply and Demand in Higher Education (Chicago: University of Chicago Press, 1993).

PJ Cook and RH Frank "The Economic Payoff of Attending an Ivy-League Institution" in Richard Delgado and Jean Stefancic, eds., Critical White Studies: Looking Behind the Mirror Temple University Press, 1997.

RH Frank and PJ Cook "The winner-take-all society" in William Darity, ed., The International Encyclopedia of the Social Sciences, 2<sup>nd</sup> ed. Gale, 2007.

RH Frank and PJ Cook "Winner-Take-All Markets" Studies in Microeconomics 1(2), 2013: 131-154.

### 3. OpEd and Magazine Articles (with Robert Frank)

*USA Today*, October 9, 1995, p. 13A

*Washington Post*, November 12, 1995

*Washington Monthly*, December 1995

*Chronicle of Higher Education*, January 5, 1996

## F. Education and Other topics

"A 'One Line' Proof of the Slutsky Equation" The American Economic Review, March 1972, 139.

PJ Cook and Robert H. Frank "The Effect of Unemployment Dispersion on the Rate of Wage Inflation" Journal of Monetary Economics 1, 1975, 241-249.

PJ Cook and JW Vaupel "What Policy Analysts Do: Three Research Styles" Journal of Policy Analysis and Management, 4 (3) Spring, 1985, 427-8.

PJ Cook and Jens Ludwig "Weighing the Burden of 'Acting White'; Are there Race Differences in Attitudes Towards Education?" Journal of Policy Analysis and Management 16(2), Spring 1997, 256-278. (Winner of the Vernon Prize for best paper in Volume 16)

PJ Cook and Jens Ludwig "The Burden of 'Acting White:' Do Black Adolescents Disparage Academic Achievement?" in Christopher Jencks and Meredith Phillips (eds.) The Black-White Test Score Gap Brookings Institution Press, Washington DC, 1998: 375-400. Reprinted in Minority status, Oppositional Culture and Academic Engagement John U. Ogbu, Ed. New York: RoutledgeFarmer, forthcoming.

PJ Cook, Robert MacCoun, Clara Muschkin, and Jacob Vigdor "The Negative Impacts of Starting Middle School in Sixth Grade" Journal of Policy Analysis and Management Winter 2008, 104-121. (winner of the Raymond Vernon Memorial Prize, 2008)

"Acting White" in William Darity, ed. International Encyclopedia of the Social Sciences, 2<sup>nd</sup> ed. Gale, 2007.

Robert MacCoun, PJ Cook, Clara Muschkin, and Jacob Vigdor "Distinguishing Spurious and Real Peer Effects: Evidence from Artificial Societies, Small-Group Experiments, and Real Schoolyards" Review of Law and Economics 4(3), 2008: 695-714.

Erin H-W Kim and PJ Cook, The continuing importance of children in relieving elder poverty: evidence from Korea Ageing & Society 31(06) August 2011, pp 953-976.

Sorensen, Lucy C., PJ Cook, and Kenneth A. Dodge. "From Parents to Peers: Trajectories in Sources of Academic Influence Grades 4 to 8." Educational Evaluation and Policy Analysis 39(4) Dec. 2017: 697-711.

PJ Cook, Elizabeth J Gifford, Kenneth A Dodge, Amy B Schulting. 2017. A new program to prevent primary school absenteeism: Results of a pilot study in five schools. Child and Youth Services Review 82: 262-270.

PJ Cook and Songman Kang. 2020. Girls to the front: How redshirting and test-score gaps are affected by a change in the school-entry cut date. Economics of Education Review. On-line, February. Vol. 76, June.

OpEds, Blogs, Magazine articles.

Phyllis W. Jordan and PJ Cook. 2017. A simple way to confront chronic school absences. Charlotte Observer Oct. 19<sup>th</sup>.



## Book reviews

Of Jack P. Gibbs, Crime, Punishment, and Deterrence in Contemporary Psychology 21:5, 1976.

Of Kenneth Dolbeare (ed.) Public Policy Evaluation in Policy Analysis, Fall 1977, 604-606.

Of David T. Stanley, Prisoners Among Us in Policy Analysis, Winter 1978, 139-141.

Of John Heineke, Economic Models of Criminal Behavior in Southern Economic Journal, April 1980, 1255-1257 (with Anne Witte).

Of Laurence Ross, Deterring the Drinking Driver in Journal of Health Politics, Policy, and Law, Winter 1983, 958-961; and in Popular Government, Winter 1983, 37-38.

Of Robert H. Frank, Choosing the Right Pond: Human Behavior and the Quest for Status in Journal of Policy Analysis and Management, Fall 1986.

Of Michael D. Laurence, John R. Snortum, and Franklin Zimring. eds., Social Control of the Drinking Driver, in Science, July 29, 1988.

Of Michael Tonry and Norval Morris, eds., Drugs and Crime in Journal of Policy Analysis and Management 10(3), Summer 1991.

Of Mark A.R. Kleiman, Against Excess: Drug Policy for Results; and Franklin E. Zimring and Gordon Hawkins, The Search for Rational Drug Control Policy in Journal of Policy Analysis and Management 11(4), Fall 1992.

Of H. Laurence Ross, Confronting Drunk Driving: Social Policy for Saving Lives in Journal of Health Politics, Policy and Law 18(1) Spring 1993, 235-237.

Of Willard Manning et al, The Costs of Poor Health Habits in Policy Currents 2(4), Nov. 1992.

Of Gary Kleck, Point Blank: Guns and Violence in America in New England Journal of Medicine February 3, 1994.

Of Robert L. Rabin and Stephen D. Sugarman, eds., Smoking Policy: Law Politics and Culture in Science 262, December 10, 1993.

Of Trudy Ann Karlson and Stephen W. Hargarten, Reducing Firearm Injury and Death: A public health sourcebook on guns in New England Journal of Medicine, February 5, 1998.

Of Tyler Cowen, What Price Fame? in Journal of Economic Literature September 2001, 933-935.

Of Felix Gutzwiller and Thomas Steffen, Cost-Benefit Analysis of Heroin Maintenance Treatment in Addiction 2001, v. 96, 1071-2.

Of Robert J. MacCoun and Peter Reuter Drug War Heresies in Journal of Policy Analysis and Management v. 21(2), Spring 2002, 303-306.

Of James B. Jacobs Can Gun Control Work? in Journal of Policy Analysis and Management 23(1), Winter 2004, 198-201.

Of S. Selvanathan and E.A. Selvanathan The Demand for Alcohol, Tobacco, and Marijuana: International Evidence in Addiction 102, 2007: 830.

Of Harold Winter The Economics of Crime: An introduction to rational crime analysis in Journal of Economic Literature v. 47: Sept. 2009.

Of Craig Whitney Living with Guns in New York Times Dec. 25, 2012.

Of Franklin E. Zimring When Police Kill in Science 355(6326) Feb. 17, 2017

#### Unpublished monographs

"The Effect of Legitimate Opportunities on the Probability of Parolee Recidivism," Institute of Policy Sciences and Public Affairs, Duke University, 1973.

"Citizen Cooperation with the Criminal Justice System," Institute of Policy Sciences and Public Affairs, Duke University, 1976.

"A Summary of State Legal Codes Governing Juvenile Delinquency Proceedings" (with Joseph Austin and Richard Levi), Institute of Policy Sciences and Public Affairs, Duke University, 1977.

"Life, Liberty, and the Pursuit of Self Hazardous Behavior" (with James Vaupel), Institute of Policy Sciences and Public Affairs, Duke University, 1978.

"Regulating Handgun Transfers: Current State and Federal Procedures, and an Assessment of the Feasibility and Cost of the Proposed Procedures in the Handgun Crime Control Act of 1979" (with James Blöse), Institute of Policy Sciences and Public Affairs, Duke University, 1980.

#### Public and Invited Lectures

PJ Cook, San Francisco: MacArthur Foundation Group on Juvenile Justice, 28 February 2003.

PJ Cook, University of Virginia Law School, 11 March 2003.

PJ Cook, University of Virginia Medical Center, 12 March 2003.

PJ Cook, University of Pennsylvania Symposium on Gun Policy, 24 April 2003.

P.J. Cook, Washington, DC: National Institute of Justice, 28 July 2003.

PJ Cook, Washington DC: Robert Wood Johnson Foundation Investigator Award Conference, 9 October 2003.

PJ Cook, UNC-CH Public Health School, 20 October 2003.

P.J.Cook, University of Delaware, 23 October 2003.

The Social Costs of Gun Ownership, Cambridge, MA, March 26, 2004.

Effective gun policy, Fordham Law School, April 13, 2004.

Effective gun policy, Columbia University Law School, April 14, 2004.

The Homicide Epidemic, Emory University Sociology Department, October 28, 2004.

Hochbaum Lecture, UNC School of Public Health, Chapel Hill, April 10, 2006.

European Economic Assn, Vienna, Austria, August 25, 2006.

Symposium honoring Thomas Schelling, University of Maryland, College Park, September 29, 2006.

Robert Wood Johnson Foundation Investigators Award, San Diego, October 6, 2006.

Davis Lectureship, University of Chicago Center for Health Administration Studies, December 6, 2006.

2007 Crime & Population Dynamics Summer Workshop, Aspen Wye River Center, June 04, 2007.

Paying the Tab: The case for higher alcohol taxes, Johns Hopkins University Institute for Policy Studies, February 14, 2008.

Alcohol and Tobacco Taxes as Public Health Measures, Washington DC: American Medical Assn President's Forum, March 31, 2008.

Paying the Tab: The case for raising the alcohol excise tax, Rutgers University School of Social Work, April 23, 2008.

Cost-Benefit Analysis of Crime, Washington DC, June 25, 2008.

*The New Second Amendment*, Virginia Tech Department of Economics, October 13, 2008.

*Paying the Tab: The case for higher alcohol taxes*, Bloomberg School of Public Health, Johns Hopkins University, December 03, 2008.

*Sussmilch Lecture: Estimating the effects of alcohol taxation on mortality*, Max Planck Institute for Demographic Research, Rostock, Germany, December 16, 2008.

*Paying the Tab*, University of Maryland, February 13, 2009.

*Lessons from Alcohol Control Research*, San Diego, California, February 20, 2009.

*Paying the Tab*, University of Maryland Baltimore County, March 04, 2009.

*Benefits of Crime Reduction*, National Academy of Sciences, March 05, 2009.

*School Crime*, University of Maryland, March 09, 2009.

*Post-Heller Strategies to Reduce Gun Violence*, Villanova University, March 24, 2009.

*Gun control after Heller*, Emory University Department of Economics, December 04, 2009.

*Private inputs into crime control*, Economics Department, University of Virginia, February 04, 2010.

*Private inputs into public safety*, Royal Economic Society Annual Conference, Surrey, March 30, 2010.

*The case for and against preserving a minimum drinking age of 21*, Duke University, May 19, 2010.

*The Scientific and Intuitive Case for Higher Alcohol Taxes*, Helsinki, Finland, September 22, 2010.

*Public safety through private action*, Bonn, Germany, October 09, 2010.

*Public safety through private action*, Harvard Law and Economics Workshop, February 08, 2011.

*Public safety through private action*, University of Oregon Department of Economics, March 05, 2011.

*Crime and the Business Cycle*, Andrew Young School of Policy Studies, Georgia State University, March 10, 2011.

*Public safety through private action*, Vanderbilt Law and Economics Program, April 25, 2011.

*Alcohol and Violence*, Washington DC, April 28, 2011.

*Lessons from an (un)controlled experiment*, Jerry Lee Symposium on Criminology and Public Policy, May 03, 2011.

*Economical Crime Control*, National Institute of Justice *Research for the Real World Seminar series* December 06, 2011

*The Virtuous Tax*, Santiago, Chile *Latin American and Caribbean Economics Association annual meeting* November 11, 2011

*Perspectives on Gun Violence*, University of Minnesota Law School *Robina Institute Annual Conference, "Crime and Justice in America, 1975-2025"* April 26, 2012

*Calibrating effect sizes*, University of Maryland 12th Annual Jerry Lee Crime Prevention Symposium April 24, 2012

*Public safety through private action*, Southern Illinois University, Vandever Chair Public Lecture in Economics April 12, 2012

*Private prevention*, John Jay College, New York Guggenheim Symposium on Crime February 06, 2012

*Cost of the Death Penalty in North Carolina*, University of Maryland September 27, 2012

*The Virtuous Tax*, Cornell University, Department of Policy Analysis and Management October 10, 2012

*The great American gun war*, Georgetown Institute of Public Policy, Dec. 3, 2012

*Private action to prevent crime*, Vera Institute of Justice, Washington DC, Jan 24, 2013

*Birthdays, schooling and crime*, UNC Charlotte Economics Department, Feb 1, 2013

*Reducing public costs of crime via private action: BIDs*, AAAS Annual Meeting, Boston, Feb. 16, 2013

*The case for using cost-benefit analysis in criminal justice evaluations*, Israeli Prison Service, Ramla, Israel, May 20, 2013

*Private action for crime prevention*, Hebrew University Institute of Criminology, May 21, 2013

*The economics of illegal gun markets*, Chicago, IL AAAS Annual Meeting – Panel February 16, 2014

*The Gun Debate*, The Cooper Union for the Advancement of Science and Art May 08, 2014

*Birthdays, schooling and crime*, Columbia Center for Study of Wealth and Inequality October 09, 2014

*Evaluation of an employment-oriented program for released prisoners*, Columbia Population Research Center, October 16, 2014

*Birthdays, schooling and crime*, Stanford Law School, Law and Economics, October 23, 2014

*The Underground Gun Market* Rutgers University Institute for Health, Health Care Policy and Aging Research, November 13, 2014

*Birthdays, Schooling and Crime*, Rutgers Department of Economics, March 27, 2015.

*The Underground Gun Market* University of Pennsylvania Injury Science Center, April 13, 2015.

*Paying the Tab*. World Bank Group Conference “Winning the Tax Wars.” Washington, DC May 24, 2016.

*Reducing access to guns by violent offenders*. Yale CHESS Workshop, October 28, 2016.

*Keeping guns away from dangerous people*. Rockefeller College, SUNY Albany, April 26, 2017.

*Preventing Alcohol-Related Driving Fatalities by Raising Alcohol Taxes*. Invited presentation, National Academy of Sciences Committee on Accelerating Progress to Reduce Alcohol-Impaired Driving Fatalities, May 9, 2017.

*Keeping guns away from dangerous people*. Invited talk, University of Michigan Department of Economics, December 8, 2017.

*Testing Instrumentality.* Invited talk, University of Pennsylvania Department of Criminology, January 17, 2018.

*The Underground Gun Market.* Invited talk, HF Guggenheim Symposium, John Jay College. February 16, 2018.

*Policing Gun Violence.* Samuel Levin Memorial Lecture, Wayne State University Department of Economics. March 29, 2019.

*Medical Costs of Gun Violence.* Conference on Small Arms and Light Weapons. French Ministry of Armed Forces, Paris. May 15, 2019.

*Police investigations of shooting assaults and homicides.* NISS Forum on Gun Violence, Alexandria VA. June 26, 2019.

*Preventing Gun Violence: Public Health and Public Policy Approaches.* American University, October 2, 2019.

*3 Pillars of Gun Policy.* University of Iowa, Symposium on Public Policy and Gun Violence, October 23, 2019.

#### Selected Research grants

Principal investigator, "Evaluating Policy Options to Increase Citizen Cooperation in Urban Law Enforcement," A Durham Observatory Project, 1975.

Principal investigator, "The Processing of Gun Crimes in D.C. District Court," Institute of Law and Social Research, 1977.

Principal investigator, "Empirical Studies of Robbery and Handgun Control," U.S. Department of Justice.

Principal investigator, "Evaluating Alternative Policy Strategies for Controlling the Distribution of Handguns" (with Mark Moore), Ford Foundation, 1977-79.

Principal investigator, "A Review of the Major Gun Regulation Proposals," Center for the Study and Prevention of Handgun Violence, 1979-80.

Principal investigator, "A Review of Robbery Literature," National Institute of Justice, 1981.

Principal investigator, "Robbery Violence," National Institute of Justice, 1983-85.

Principal investigator, "Vice," The Chicago Resource Center, 1987

Principal investigator, "Costs of the Death Penalty in North Carolina," NC Administrative Office of the Courts, 1991-93.

Principal investigator, "Causes and Effects of Youthful Drinking," National Institute on Alcohol Abuse and Alcoholism, 1992-1994.

Principal investigator, "Markets for Stolen Guns," Harry Frank Guggenheim Foundation, 1993-4.

Principal investigator, "The Costs of Gunshot Wounds," The Joyce Foundation, 1997-99.

Principal investigator, "Community Gun Prevalence and Crime," The Joyce Foundation, 2000-2003.

Investigator Award In Health Policy Research, Robert Wood Johnson Foundation, 2003-4.

Principal Investigator, "evaluations of two programs in Milwaukee designed to reduce serious criminal violence" Joyce Foundation, 2007-2008.

Principal Investigator, "Fiscal Costs of Capital Punishment in NC" Z. Smith Reynolds Foundation, 2007-2008.

Principal Investigator, "An Experimental Evaluation of the Milwaukee Prisoner Re-entry Program" Smith Richardson Foundation, 2008-2011.

Co-Investigator, "Preventing truancy in urban schools through provision of social services by truancy officers: A Goal 3 randomized efficacy trial" US Department of Education/IES: 2010 – 2014.

Principal Investigator, "Truancy Prevention Project" US Department of Education/IES: 2012-2015.

Principal Investigator, "Clearance Rates" National Consortium on Gun Violence Prevention (Arnold Foundation/RAND), 2020-2022.



## Service and Administrative Activities at Duke University

Director of Undergraduate Studies, Institute of Policy Sciences and Public Affairs, 1974-75, 1992.

Director of Graduate Studies, Institute of Policy Sciences and Public Affairs, 1977-79, 1984, and 1994-95.

Chairman, Graduate Curriculum Committee, Institute of Policy Sciences and Public Affairs, 1977-79.

Member, Undergraduate Faculty Council of Arts and Sciences, 1977-78, 1991-93.

Author of an evaluation of undergraduate admission policy, commissioned by the Undergraduate Faculty Council, 1978.

Member, Academic Council, Duke University, 1978-79, 1982-84, 1993-95, 1998-2000  
Elected to the Executive Committee of the Academic Council, 1982-83.

Associate Director, Institute of Policy Sciences and Public Affairs, 1979-1985, 2005-.

Pre-Major Advisor, 1981-85.

Member, UFCAS Committee on Admissions, 1984-86.

Member, University Committee on Undergraduate Admissions and Financial Aid, 1986 - 87.

Author of a special report on predicting yields from undergraduate admissions, 1987.

Member, Dean White's Ad Hoc Committee on Undergraduate Internships, 1987.

Member, President's Administrative Oversight Committee, 1987-90.

Chairman, Public Policy Studies Committee on Appointments and Promotion, 1990-93.

Chair, Provost's committee to review Dean Earl Dowell for reappointment, 1992.

Member, Arts and Sciences Committee on Planning and Priorities, 1993-95. Chair, 1994-95.

Member, Dean Search Committee, Fuqua School of Business, 1994.

Chair, PPS Diversity Committee, 1994-95.

Member, Executive Committee of the Graduate School, 1995-96

Member, steering committee, Child and Family Policy initiative, 1999

Member, Dean's Search Committee, Duke Law School, 1999

Member, Planning Committee, Institute for Genome Sciences and Policy, 1999

Chair, Arts & Sciences Council Task Force on the Budget, 2001-2

### Public and Professional Service

Chairman, Weapons and Violent Crime Workshop, NILECJ, LEAA, U.S. Department of Justice, February 1978.

Presenter, N.C. Governor's Crime Commission, June and September, 1979.

Panel member, National Research Council Study of Alternative Policies Affecting the Prevention of Alcohol Abuse and Alcoholism, 1978-1981.

Member, N.C. Governor's Task Force on Drunken Driving, 1982.

Member, Ad Hoc Workshop on the Future of Criminal Justice Research, U.S. Department of Justice and National Research Council, March 1982.

Testified on alternative gun-control policies before the U.S. Senate Criminal Law Subcommittee, March 4, 1982.

Testified on alcohol tax policy before the Social Security Advisory Council, May 25, 1982.

Participant, Sixty-Sixth American Assembly (Public Policy on Alcohol Problems), Harriman, NY, April 26-29, 1984.

Member, Executive Session on the Juvenile Justice System, Harvard University, 1984-85.

Member, Policy Council of the American Society of Criminology, 1985-86, and 1990-91.

Invited participant, Conference on the Cigarette Excise Tax sponsored by the Harvard Institute for the Study of Smoking Behavior, Washington, DC, April 17, 1985.

Member, "Crime and Violence" working group of the NAS Committee on Basic Research, 1985.

Member, Research Advisory Committee of the U.S. Sentencing Commission, 1986-91 (Chair, 1986).

Associate, Canadian Institute of Advanced Research, 1986.

Member, Board of Advisors, Public Policy Program, College of William & Mary, 1987-1992.

Member, National Academy of Sciences Committee on Law and Justice, 1987-1993.

Treasurer, Association of Public Policy Analysis and Management, 1987-1994.

Testified on the use of alcohol taxation as a public-health measure before the U.S. Senate Committee on Governmental Affairs, September 27, 1988.

Member, Workshop on Health Economics, National Institute of Alcohol Abuse and Alcoholism, September 1988.

Member, National Research Council's Panel on the Understanding and Control of Violent Behavior, 1988-91.

Member, Advisory Board to the Injury Prevention Research Center, University of North Carolina, 1990-.

Witness, "Problems and Prospects for a N.C. Lottery" North Carolina Economic Future Commission, December 5, 1990.

Invited participant, CDC's Forum on Youth Violence in Minority Communities, Atlanta, December 10-12, 1990.

Member, President's Advisory Board of the H. John Heinz III School of Public Policy and Management, Carnegie Mellon University, 1992-96 and subsequently (including 2007).

Consultant, Tax Advisory Program, US Department of Treasury, 1994-95.

Steering Committee, National Consortium on Violence Research, 1995-1997.

Member, Center for Gun Policy Research, Johns Hopkins University, 1995-.

Invited participant, White House Leadership Conference on Youth, Drug Use, and Violence, March 7, 1996.

Invited speaker, U.S. Senate Democratic Policy Council, Wilmington, DE, April 26, 1996.

Member, National Academy of Sciences (IOM) Committee on Injury Prevention and Control, 1997-8.

Member, Advisory Committee to the Harvard Injury Control Research Center, 1998-.

Consultant, US Department of Treasury, Enforcement Division, 1999-2000.

Member, National Academy of Sciences (NRC) Case Studies of School Violence Committee, 2001-2002.

Member, Division Committee for the Behavioral and Social Sciences and Education, National Research Council, 2001-2004.

Member, "Committee to Develop a Strategy to Prevent and Reduce Underage Drinking", Institute of Medicine 2002-3.

Member, Panel on Assessing the Feasibility, Accuracy, and Technical Capability of a National Ballistics Database, The National Academies 2004-5.

Member, *Crime and Justice* editorial board, 2007-2010.

Member, National Research Council Workshop on Understanding Crime Trends, 2007-8

Co-Director, NBER Economics of Crime Working Group, 2007-

Vice Chair, National Research Council Committee on Law and Justice, 2006-2010.

Vice President, Association of Public Policy and Management, 2008-2009 (two years).

Panel member, International Benchmarking Review of UK Sociology: 2009-2010.  
[http://www.esrcsocietytoday.ac.uk/ESRCInfoCentre/Support/Evaluation/ibr/IBR\\_Sociology.aspx](http://www.esrcsocietytoday.ac.uk/ESRCInfoCentre/Support/Evaluation/ibr/IBR_Sociology.aspx)

Member, International Scientific Advisory Board, Netherlands Institute for the Study of Crime and Law Enforcement (NSCR), 2010-.

Member, National Research Council Committee on Deterrence and the Death Penalty, August 2010 – November 2011.

Member, National Research Council Committee on The Illicit Tobacco Market: Collection and Analysis of The International Experience, 2013-15.

Member, National Research Council Committee on Proactive Policing, 2015-2017.

## Refereeing

Associate editor, Law and Contemporary Problems, 1974-78.

Editorial consultant, Journal of Criminal Law and Criminology, 1982-.

Member, Editorial Board, Journal of Policy Analysis and Management, 1986- 2002.

Associate Editor, Criminology, 1987-91.

Editorial board, Criminology & Public Policy 2010-

Editorial board, Journal of Quantitative Criminology 2015-

Occasional refereeing: American Economic Review, Journal of Political Economy, Journal of Public Economics, Economic Inquiry, Journal of Legal Studies, Journal of Law and Economics, New England Journal of Medicine, Journal of the American Medical Association, Criminology and other professional journals.

# **APPENDIX B**

**FRANK R. BAUMGARTNER**

Richard J. Richardson Distinguished Professor of Political Science  
The University of North Carolina at Chapel Hill  
313 Hamilton Hall • Chapel Hill, NC 27599-3265  
Phone 919 962 3041 • Fax 919 962 0432  
[Frankb@unc.edu](mailto:Frankb@unc.edu) • <http://fbaum.unc.edu/>

**EDUCATION**

- Ph.D., 1986, The University of Michigan. (Fields: Comparative, American, methods.)  
*Dissertation:* “Strategies of Policy Making: Education Policy in France, 1983–1984.”  
Doctoral fieldwork conducted in Paris, France, 1983–84.
- M.A., 1983, The University of Michigan. *Thesis:* “Models of Incumbent Spending in U.S. House Races.”
- B.A., 1980, The University of Michigan. Honors in Political Science, honors in French, high distinction, Phi Beta Kappa, junior year at Université de Provence, Aix-en-Provence, France, 1978–79.
- Diploma, 1976, Cass Technical High School, Detroit, Michigan. Class rank: 3 of 914.
- Languages: American (native); French (fluent).

**PROFESSIONAL EXPERIENCE**

*Full-Time Academic Appointments*

- 2009– Richard J. Richardson Distinguished Professor of Political Science, UNC Chapel Hill (also Adjunct Professor of Public Policy, 2019–)
- 1998–09 The Pennsylvania State University (Professor 1998–2005; Interim Head, 1999–2000; Head, 2000–04; Distinguished Professor, 2005–2007; Bruce R. Miller and Dean D. LaVigne Professor, 2007–09)
- 1998–99 California Institute of Technology, Visiting Professor
- 1987–98 Texas A&M University (Assistant Professor 1987–92; Associate Professor 1992–97; Professor 1997–98)
- 1986–87 The University of Iowa, Visiting Assistant Professor

*Temporary and other Appointments*

- 2019 Visiting Professor, University of St. Gallen, Switzerland, May–June
- 2016 Fellow, Institute for Advanced Studies in the Humanities, University of Edinburgh, May–June
- 2011–12 Visiting Professor, University of Barcelona, May–June 2011, January–June 2012
- 2006–10 Chercheur associé, Center for European Studies / Cevipof / Sciences Po, Paris; also Professeur invité, Sciences Po (graduate courses in public policy). May–June, 2006–10.
- 2000–10 Professor (honorary appointment), University of Aberdeen
- 2007 Fellow, The Camargo Foundation, Cassis, France, January–May
- 2005 Visiting Professor, Cevipof / Sciences Po, Paris, March–August
- 2004–05 Visiting Fellow, European University Institute, Department of Political and Social Sciences, Florence, September–February
- 1997 Visiting Scholar, The University of Washington, Seattle, Summer

- 1996, 90, 87 Visiting Scholar, The University of Michigan, Ann Arbor, Summers  
 1988 Visiting Scholar, Institut de Management Public, Paris, Summer  
 1983–84 Visiting Scholar, Institut de Management Public, Paris, September–July  
 1981–86 Teaching Assistant, then Instructor, then Lecturer, The University of Michigan  
 1981–86 Research Assistant, then Research Associate, The University of Michigan.  
 Institute for Public Policy Studies; National Election Studies; Center for Political  
 Studies; Inter-university Consortium for Political and Social Research  
 1981 Summer intern and interpreter, *Conseil Régional du Nord – Pas-de-Calais*,  
 France, M. Pierre Mauroy, President of the Region and Prime Minister of France

### ***Teaching and Research Fields***

Public policy, policy process, punctuated equilibrium, agenda-setting, framing, interest groups, lobbying, social movements, budgeting, capital punishment, American politics, comparative politics, race and ethnic politics, racial disparities in criminal justice, traffic stops, and policing.

### **CURRENT RESEARCH**

Comparative Agendas Project (see <http://www.comparativeagendas.net>). Bryan Jones and I started the US Policy Agendas Project in 1994, making available data on the activities of the US government since 1947. It has now expanded internationally to become the Comparative Agendas Project (CAP), with affiliated projects in over 25 countries and political systems.

Capital Punishment Research (see <http://fbaum.unc.edu/Innocence/Innocence.htm> and <http://fbaum.unc.edu/books/DeadlyJustice/index.html>) Following on the research I conducted for books published in 2008 and 2018, I continue to be involved in analyses of the death penalty in the US and in North Carolina.

Traffic Stops and “Driving While Black” (see <http://fbaum.unc.edu/traffic.htm> and <http://fbaum.unc.edu/books/SuspectCitizens/index.html>). After publishing a comprehensive analysis of over 20 million traffic stops in North Carolina since 2000, I have remained active in studying the “driving while black” phenomenon in a series of articles.

Racial Disparities in Criminal Justice Outcomes. With a team of graduate students and other collaborators, I am involved in various studies of jury formation, patterns of arrest, and differences in judicial outcomes for different racial and gender groups in the North Carolina criminal justice system, based on large administrative databases.

#### Research Under Review or Near Completion:

- Being revised for submission

*A Deadly Symbol: Race and Capital Punishment in North Carolina*. Under contract, University of North Carolina Press; target for submission: Fall 2022. (Frank R. Baumgartner, Seth Kotch, and Isaac Unah)

*Criminal Justice Contact and Outcomes in North Carolina: Race, Poverty, and Inequality*. A book-length analysis of arrest records, using comprehensive data from the North Carolina courts with millions of observations from 2013 through 2019. (Frank R. Baumgartner, Christian Caron, Marty A. Davidson, and Kaneesha R. Johnson)



- The Importance of Faculty Diversity for Political Science. Target for submission: Spring 2022. (with Chris Clark and Ray Block, Jr.)
- Geography or Personal Choice: Prosecutor Decisions about the Death Penalty in the 30 Most Active Death Penalty Counties in the US. Target for submission: Summer 2022 (Sally Stanley and Frank R. Baumgartner)
- A Probabilistic Method for Matching Identity in Administrative Records with Application to Criminal Justice. Target for submission: Summer 2022. (Ted Enamorado and Frank R. Baumgartner)
- Physical Characteristics and Severity of Punishments in Prison. Target for submission: Summer 2022 (Kaneesha Johnson and Frank R. Baumgartner)
- A Critique of the Veil of Darkness Method of Assessing Racial Disparities in Traffic Stops. Target for submission: Spring 2022. (with Anthony Lindsey)
- Punctuations and Trends and Super-Trends in Budgetary Change. Target for submission: Spring 2022. (Ehud Segal and Frank R. Baumgartner)
- Purchasing Privilege? Driver Identity, Status Cues, and Unwarranted Police Suspicion. Target for resubmission: Spring 2022. (Frank R. Baumgartner, Colin Case, and Will Spillman)
- Under review
- Racial Resentment and the Death Penalty. Submitted, *British Journal of Political Science*, December, 2021. (Frank R. Baumgartner, Christian Caron, and Scott Duxbury)
- Public Health Critical Race Praxis at the Intersection of Traffic Stops and Injury. Submitted, *Injury Epidemiology*, Commentary Section, December, 2021 (Mike Fliss, Frank R. Baumgartner, Paul Delamater, Steve Marshall, Charles Poole, and Whitney Robinson)
- Innocence and the Death Penalty. In Todd Peppers and Jamie Almellen, eds. *The Death Penalty: A Postmortem*. Edited volume submitted for review September, 2021, New York University Press.

## PUBLICATIONS

### *Authored Books*

- The Dynamics of Public Opinion*. New York: Cambridge University Press, Elements Series, 2021. (Mary Layton Atkinson, K. Elizabeth Coggins, James A. Stimson, and Frank R. Baumgartner)
- Suspect Citizens: What 20 Million Traffic Stops Tell Us About Policing and Race*. New York: Cambridge University Press, 2018. (Frank R. Baumgartner, Derek A. Epp and Kelsey Shoub).
- Winner of the C. Herman Pritchett Award for the best book published in 2018 from the APSA Section on Law and Courts, 2019.
- Deadly Justice: A Statistical Portrait of the Death Penalty*. New York: Oxford University Press, 2018. (Frank R. Baumgartner, Marty Davidson, Kaneesha R. Johnson, Arvind Krishnamurthy, and Colin P. Wilson).
- Agenda Dynamics in Spain*. London: Palgrave Macmillan, 2015. (Laura Chaqués Bonafont, Anna M. Palau, and Frank R. Baumgartner).
- The Politics of Information: Problem Definition and the Course of Public Policy in America*. Chicago: University of Chicago Press, 2015. (Frank R. Baumgartner and Bryan D. Jones)
- Winner of the Louis Brownlow Award for the best book in public administration, National Academy of Public Administration, 2016.

- Winner of the best book award from the International Public Policy Association, recognizing the best book published in the English language in 2015 on any topic of public policy, 2017.

*Lobbying and Policy Change: Who Wins, Who Loses, and Why.* Chicago: University of Chicago Press, 2009. (Frank R. Baumgartner, Jeffrey M. Berry, Marie Hojnacki, Beth L. Leech, and David C. Kimball).

- Winner of the Leon D. Epstein Outstanding Book Award, APSA Section on Political Organizations and Parties, 2010.
- Simplified Chinese translation, Nanjing University Press, forthcoming.

*Agendas and Instability in American Politics*, 2<sup>nd</sup> ed. Chicago: University of Chicago Press, 2009. (Frank R. Baumgartner and Bryan D. Jones).

*The Decline of the Death Penalty and the Discovery of Innocence.* New York: Cambridge University Press, 2008. (Frank R. Baumgartner, Suzanna L. De Boef and Amber E. Boydston).

- Winner of the Gladys M. Kammerer Award for the best publication in the field of US national policy, American Political Science Association, 2008.

*The Politics of Attention: How Government Prioritizes Problems.* Chicago: University of Chicago Press, 2005. (Frank R. Baumgartner and Bryan D. Jones)

*Basic Interests: The Importance of Groups in Politics and in Political Science.* Princeton: Princeton University Press, 1998. (Frank R. Baumgartner and Beth L. Leech)

*Agendas and Instability in American Politics.* Chicago: University of Chicago Press, 1993. (Frank R. Baumgartner and Bryan D. Jones)

- Chapter 6, The Dynamics of Media Attention, reprinted in *Mediare la Realtà: Mass Media, Systema Politico, e Opinione Pubblica* (ed. Sara Bentivegna. Milano: Franco Angeli, 1994).
- Winner of the Aaron Wildavsky Award for a work of lasting impact on the field of public policy, APSA Organized Section on Public Policy, 2001.
- Featured in *Oxford Handbook of the Classics of Public Policy and Administration* (Steven Balla, Martin Lodge, and Edward Page, eds., Oxford University Press, 2015)
- Chinese translation, Peking University Press, 2011.

*Conflict and Rhetoric in French Policymaking.* Pittsburgh: University of Pittsburgh Press, 1989.

### ***Edited Books and Special Issues of Journals***

*Comparative Policy Agendas: Theory, Tools, Data.* New York: Oxford University Press, 2019. (Frank R. Baumgartner, Christian Breunig, and Emiliano Grossman, eds.)

*The Dynamics of Policy Change in Comparative Perspective*, special issue of *Comparative Political Studies* vol. 44, no. 8, August 2011. (Frank R. Baumgartner, Bryan D. Jones, Sylvain Brouard, Christoffer Green-Pedersen, and Stefaan Walgrave, eds.)

*Comparative Studies of Policy Agendas.* New York: Routledge, 2008. (Frank R. Baumgartner, Christoffer Green-Pedersen, and Bryan D. Jones, eds.)

- Previously published as a special issue of the *Journal of European Public Policy*, vol. 13, no. 7, September 2006.

*Policy Dynamics.* Chicago: University of Chicago Press, 2002. (Frank R. Baumgartner and Bryan D. Jones, eds.)

**Other Editorial Work**

*Theoretical Models of the Policy Process*, virtual special issue of *Journal of European Public Policy*, 2014. Frank R. Baumgartner and Petya Alexandrova, guest editors. (This is our selection of 11 influential articles from previous issues of *JEPP*, with a short introduction.) <http://explore.tandfonline.com/page/pgas/rjpp-policy-process>

**Articles in Peer-Reviewed Journals**

- Throwing away the Key: The Unintended Consequences of “Tough-on-Crime” Laws. *Perspectives on Politics* Online version 2021. (Frank R. Baumgartner, Tamira Daniely, Kalley Huang, Sydney Johnson, Alexander Love, Lyle May, Patrice McGloin, Allison Swagert, Niharika Vattikonda, and Kamryn Washington) doi: 10.1017/S153759272100164X.
- Better for Everyone: Black Descriptive Representation and Police Traffic Stops. *Politics, Groups, and Identities*, Online version 2021. (Leah Christiani, Kelsey Shoub, Frank R. Baumgartner, Derek A. Epp, and Kevin Roach) doi: 10.1080/21565503.2021.1892782.
- Fines, Fees, and Disparities: The Link between Municipal Reliance on Fines and Racial Disparities in Policing. *Policy Studies Journal* 49, 3 (2021): 835–859. (Kelsey Shoub, Leah Christiani, Frank R. Baumgartner, Derek A. Epp, and Kevin Roach) doi: 10.1111/psj.12412.
- Intersectional Encounters: Representative Bureaucracy and the Routine Traffic Stop. *Policy Studies Journal* 49, 3 (2021): 860–886. (Frank R. Baumgartner, Kate Bell, Luke Beyer, Tara Boldrin, Libby Doyle, Lindsey Govan, Jack Halpert, Jackson Hicks, Katherine Kyriakoudes, Cat Lee, Mackenzie Leger, Sarah McAdon, Sarah Michalak, Caroline Murphy, Eyan Neal, Olivia O’Malley, Emily Payne, Audrey Sapirstein, Sally Stanley, Kathryn Thacker) doi: 10.1111/PSJ.12382.
- Included in the *PSJ* Virtual Special Issue on Racial Justice, ed. Jamila Michener, July 15, 2020
- At the Intersection: Race, Gender, and Discretion in Police Traffic Stop Outcomes. *Journal of Race, Ethnicity, and Politics*, Online version 2020. (Kevin Roach, Frank R. Baumgartner, Leah Christiani, Derek A. Epp, Kelsey Shoub) doi: 10.1017/rep.2020.35.
- Agenda Dynamics in Latin America: Theoretical and Empirical Challenges. *Revista de Administração Pública (Brazilian Journal of Public Administration)* 54, 6 (2020): 1513–1525. (Frank R. Baumgartner, Bryan D. Jones, and Laura Chaqués Bonafont)
- Learning to Kill: Why a Small Handful of Counties Generates the Bulk of US Death Sentences. *PLoS-ONE*, 15, 10 (2020): e0240401. (Frank R. Baumgartner, Janet M. Box-Steffensmeier, Benjamin W. Campbell, Christian Caron, and Hailey Sherman)
- Race, Place, and Context: The Persistence of Race Effects in Traffic Stop Outcomes. *Journal of Race, Ethnicity, and Politics* 5, 3 (2020): 481–508. (Kelsey Shoub, Derek A. Epp, Frank R. Baumgartner, Leah Christiani, and Kevin Roach) doi: 10.1017/rep.2020.8.
- Re-Prioritizing Traffic Stops to Reduce Motor Vehicle Crash Outcomes and Racial Disparities. *Injury Epidemiology* 7, 3 (2020). (Mike Fliss, Frank R. Baumgartner, Paul Delamater, Steve Marshall, Charles Poole, and Whitney Robinson) doi: 10.1186/s40621-019-0227-6.
- Democracy, Authoritarianism, and Policy Punctuations. *International Review of Public Policy* 1, 1 (2019): 7–26. (Bryan D. Jones, Derek A. Epp, and Frank R. Baumgartner)
- Event Dependence in U.S. Executions. *PLoS-ONE* 13, 1 (2018): e0190244. (Frank R. Baumgartner, Janet M. Box-Steffensmeier, and Benjamin W. Campbell)

- Budgetary Change in Authoritarian and Democratic Regimes. *Journal of European Public Policy* 24, 6 (2017): 792–808. (Frank R. Baumgartner, Marcello Carammia, Derek A. Epp, Ben Noble, Beatriz Rey, and Tefvik Murat Yildirim)
- Complexity, Capacity, and Budget Punctuations. *Policy Studies Journal* 45, 2 (2017): 247–64. (Derek A. Epp and Frank R. Baumgartner)
- Included in the *PSJ* Virtual Special Issue on COVID-19 Crisis, ed. Michael D. Jones, May 26, 2020
- Endogenous Disjoint Change. *Cognitive Systems Research* 44 (2017): 69–73.
- Creating an Infrastructure for Comparative Policy Analysis. *Governance* 30, 1 (2017): 59–65.
- Targeting Young Men of Color for Search and Arrest during Traffic Stops: Evidence from North Carolina, 2002-2013. *Politics, Groups, and Identities* 5, 1 (2017): 107–31. (Frank R. Baumgartner, Derek A. Epp, Kelsey Shoub, and Bayard Love)
- Included in the #BlackLivesMatter *PGI* Micro-Syllabus
- Do the Media Set the Parliamentary Agenda? A Comparative Study in Seven Countries. *European Journal of Political Research* 55 (2016): 283–301. (Rens Vliegthart, Stefaan Walgrave, Frank R. Baumgartner, Shaun Bevan, Christian Breunig, Sylvain Brouard, Laura Chaqués Bonafont, Emiliano Grossman, Will Jennings, Peter B. Mortensen, Anna M. Palau, Pascal Sciarini, and Anke Tresch)
- Assessing Business Advantage in Washington Lobbying. *Interest Groups and Advocacy* 4 (2015): 205–24. (Marie Hojnacki, Kathleen M. Marchetti, Frank R. Baumgartner, Jeffrey M. Berry, David C. Kimball, and Beth L. Leech)
- Images of an Unbiased Interest System. *Journal of European Public Policy* 22, 8 (2015): 1212–31 (David Lowery, Frank R. Baumgartner, Joost Berkhout, Jeffrey M. Berry, Darren Halpin, Marie Hojnacki, Heike Klüver, Beate Kohler-Koch, Jeremy Richardson, and Kay Lehman Schlozman)
- #BlackLivesDon'tMatter: Race-of-Victim Effects in US Executions, 1977-2013. *Politics, Groups, and Identities* 3, 2 (2015): 209–21. (Frank R. Baumgartner, Amanda Grigg, and Alisa Mastro)
- Included in the #BlackLivesMatter *PGI* Micro-Syllabus
- All News is Bad News: Newspaper Coverage of Politics in Spain. *Political Communication* 32, 2 (2015): 268–91. (Frank R. Baumgartner and Laura Chaqués Bonafont).
- Partners in Advocacy: Lobbyists and Government Officials in the Policy Process. *Journal of Politics* 77, 1 (2015): 202–15. (Christine Mahoney and Frank R. Baumgartner)
- Popular Presidents Can Influence Congressional Attention, for a Little While. *Policy Studies Journal* 43, 1 (2015): 22-43. (John Lovett, Shaun Bevan, and Frank R. Baumgartner)
- Included in the *PSJ* Virtual Special Issue on COVID-19 Crisis, ed. Michael D. Jones, May 26, 2020
- Partisan Priorities and Public Budgeting. *Political Research Quarterly* 67, 4 (2014): 864–78. (Derek A. Epp, John Lovett, and Frank R. Baumgartner)
- The Two Worlds of Lobbying: Washington Lobbyists in the Core and on the Periphery. *Interest Groups and Advocacy* 3, 3 (2014): 219–45. (Timothy M. LaPira, Herschel F. Thomas III, and Frank R. Baumgartner).
- The State of the Discipline: Authorship, Research Designs, and Citation Patterns in Studies of EU Interest Groups and Lobbying. *Journal of European Public Policy* 21, 10 (2014): 1412–34. (Adriana Bunea and Frank R. Baumgartner)

- Money, Priorities, and Stalemate: How Lobbying Affects Public Policy. *Election Law Journal* 13, 1 (2014): 194–209. (Frank R. Baumgartner, Jeffrey M. Berry, Marie Hojnacki, David C. Kimball, and Beth L. Leech)
- Divided Government, Legislative Productivity, and Policy Change in the US and France. *Governance* 27, 3 (2014): 423–447. (Frank R. Baumgartner, Sylvain Brouard, Emiliano Grossman, Sebastien G. Lazardeux, and Jon Moody)
- Measuring the Media Agenda. *Political Communication* 31, 2 (2014): 355–80. (Mary Layton Atkinson, John Lovett, and Frank R. Baumgartner)
- Ideas, Paradigms, and Confusions. *Journal of European Public Policy* 21, 3 (2014): 475–80.
- Understanding Time-Lags and Measurement Validity in Secondary Data: The *Encyclopedia of Associations Database*. *Social Science Research* 42 (2013): 1750–64. (Shaun Bevan, Frank R. Baumgartner, Erik W. Johnson, and John McCarthy)
- Ideas and Policy Change. *Governance* 26, 2 (2013): 239–58.
- A Failure to Communicate: Agenda Setting in Media and Policy Studies. *Political Communication* 30, 2 (2013): 175–192. (Michelle Wolfe, Bryan D. Jones, and Frank R. Baumgartner)
- Newspaper Attention and Policy Activities in Spain. *Journal of Public Policy* 13, 1 (2013): 1–24. (Laura Chaqués Bonafont and Frank R. Baumgartner)
- Framing the Poor: Media Coverage and US Poverty Policy, 1960–2008. *Policy Studies Journal* 41, 1 (2013): 22–53. (Max Rose and Frank R. Baumgartner)
- Public Budgeting in the EU Commission: A Test of the Punctuated Equilibrium Thesis. *Politique Européenne* 38 (2012): 70–99. (Frank R. Baumgartner, Martial Foucault and Abel François)
- Who Cares About the Lobbying Agenda? *Interest Groups and Advocacy* 1, 1 (2012): 1–21. (David C. Kimball, Frank R. Baumgartner, Jeffrey M. Berry, Marie Hojnacki, Beth L. Leech, and Bryce Summary)
- From There to Here: Punctuated Equilibrium to the General Punctuation Thesis to a Theory of Government Information Processing. *Policy Studies Journal* 40, 1 (2012): 1–19. (Bryan D. Jones and Frank R. Baumgartner)
- Introduction to special issue on punctuated equilibrium studies of public policy, one of four special issues on the major theoretical approaches to the study of public policy.
- Studying Organizational Advocacy and Influence: Reexamining Interest Group Research. *Annual Review of Political Science* 15 (2012): 379–99. (Marie Hojnacki, David C. Kimball, Frank R. Baumgartner, Jeffrey M. Berry, and Beth L. Leech).
- Comparative Studies of Policy Dynamics. *Comparative Political Studies* 44, 8 (August 2011): 947–72. (Frank R. Baumgartner, Bryan D. Jones and John Wilkerson)
- Policy Attention in State and Nation: Is Anyone Listening to the Laboratories of Democracy? *Publius* 41, 2 (2011): 286–310. (David Lowery, Virginia Gray and Frank R. Baumgartner)
- Replacing Members with Managers? Mutualism Among Membership and Non-Membership Advocacy Organizations in the U.S. *American Journal of Sociology* 116, 4 (January 2011): 1284–1337. (Edward T. Walker, John D. McCarthy, and Frank R. Baumgartner)
- Congressional and Presidential Effects on the Demand for Lobbying. *Political Research Quarterly* 64, 1 (March 2011): 3–16. (Frank R. Baumgartner, Heather A. Larsen, Beth L. Leech, and Paul Rutledge)

- Measuring the Size and Scope of the EU Interest Group Population. *European Union Politics* 11, 3 (September 2010): 463–76. (Arndt Wonka, Frank R. Baumgartner, Christine Mahoney, and Joost Berkhout)
- A General Empirical Law for Public Budgets: A Comparative Analysis. *American Journal of Political Science* 53, 4 (October 2009): 855–73. (Bryan D. Jones, Frank R. Baumgartner, Christian Breunig, Christopher Wlezien, Stuart Soroka, Martial Foucault, Abel François, Christoffer Green-Pedersen, Peter John, Chris Koski, Peter B. Mortensen, Frédéric Varone, and Stefaan Walgrave)
- Punctuated Equilibrium in Comparative Perspective. *American Journal of Political Science*, 53, 3, (July 2009): 602–19. (Frank R. Baumgartner, Christian Breunig, Christoffer Green-Pedersen, Bryan D. Jones, Peter B. Mortensen, Michiel Neytemans, and Stefaan Walgrave)
- Agenda-setting Dynamics in France: Revisiting the “Partisan Hypothesis.” *French Politics*, 7, 2 (2009): 57–95. (Frank R. Baumgartner, Emiliano Grossman and Sylvain Brouard)
- Federal Policy Activity and the Mobilization of State Lobbying Organizations. *Political Research Quarterly* 62, 3 (September 2009): 552–67. (Frank R. Baumgartner, Virginia Gray and David Lowery)
- Public Budgeting in the French Fifth Republic: The End of *La République des partis*? *West European Politics* 32, 2 (2009): 401–19. (Frank R. Baumgartner, Martial Foucault and Abel François)
- Le Projet Agendas Comparés : Objectifs et Contenus. *Revue Internationale de Politique Comparée*, 16, 3 (2009): 365–79. (John Wilkerson, Frank R. Baumgartner, Sylvain Brouard, Laura Chaqués Bonafont, Christopher Green-Pedersen, Emiliano Grossman, Bryan D. Jones, Arco Timmermans, and Stefaan Walgrave)
- Comparer les Productions Législatives : Enjeux et Méthodes. *Revue Internationale de Politique Comparée* 16, 3 (2009): 381–404. (Sylvain Brouard, John Wilkerson, Frank R. Baumgartner, Arco Timmermans, Shaun Bevan, Gerard Breeman, Christian Breunig, Laura Chaqués Bonafont, Christopher Green-Pedersen, Will Jennings, Peter John, Bryan D. Jones, and David Lowery)
- Converging Perspectives on Interest-Group Research in Europe and America. *West European Politics*, 31, 6 (2008): 1251–71. (Christine Mahoney and Frank R. Baumgartner)
- Reprinted in Jan Beyers, Rainer Eising, and William A. Maloney, eds. 2013. *Interest Group Politics in Europe: Lessons from EU Studies and Comparative Politics* (London and New York: Routledge).
- The Two Faces of Framing: Individual-Level Framing and Collective Issue-Definition in the EU. *European Union Politics* 9, 3 (2008): 435–49. (Frank R. Baumgartner and Christine Mahoney)
- Media Framing of Capital Punishment and Its Impact on Individuals’ Cognitive Responses. *Mass Communication and Society* 11, 2 (2008): 115–40. (Frank R. Baumgartner, Suzanna De Boef, Amber E. Boydston, Frank E. Dardis, and Fuyuan Shen)
- EU Lobbying: A View from the US. *Journal of European Public Policy* 14, 3 (March 2007): 482–88.
- Comparative Studies of Policy Agendas. *Journal of European Public Policy* 13, 7 (September 2006): 955–70. (Frank R. Baumgartner, Christoffer Green-Pedersen and Bryan D. Jones)
- Reprinted in Peter Hupe and Michael Hill, eds. 2012. *Public Policy*. London: Sage.

- Punctuated Equilibrium in French Budgeting Processes. *Journal of European Public Policy* 13, 7 (September 2006): 1082–99. (Frank R. Baumgartner, Martial Foucault and Abel François)
- Measuring Association Populations Using the *Encyclopedia of Associations*: Evidence from the Field of Labor Unions. *Social Science Research* 35 (2006): 771–78. (Andrew W. Martin, Frank R. Baumgartner, and John McCarthy)
- A Model of Choice for Public Policy. *Journal of Public Administration Research and Theory* 15, 3 (July 2005): 325–51. (Bryan D. Jones and Frank R. Baumgartner)
- Selected for inclusion in special issue reprinting the most outstanding articles for the 20<sup>th</sup> anniversary issue of *JPART*, 2010.
- Drawing Lobbyists to Washington: Government Activity and Interest-Group Mobilization. *Political Research Quarterly* 58, 1 (March 2005): 19–30. (Beth L. Leech, Frank R. Baumgartner, Timothy La Pira, and Nicholas A. Semanko)
- Representation and Agenda-Setting. *Policy Studies Journal* 32, 1 (January 2004): 1–24. (Bryan D. Jones and Frank R. Baumgartner)
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- Policy Punctuations: US Budget Authority, 1947–95. *Journal of Politics* 60, 1 (February 1998): 1–33. (Bryan D. Jones, Frank R. Baumgartner, and James L. True)
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- The Multiple Ambiguities of “Counteractive Lobbying.” *American Journal of Political Science* 40, 2 (May 1996): 521–42. (Frank R. Baumgartner and Beth L. Leech)
- This article led to a rebuttal and response as follows:
- Theory and Evidence for Counteractive Lobbying *American Journal of Political Science* 40, 2: 543–64. (David Austen-Smith and Jack R. Wright)
  - Good Theories Deserve Good Data. *American Journal of Political Science* 40, 2: 565–9. (Frank R. Baumgartner and Beth L. Leech)
- Public Interest Groups in France and the United States. *Governance* 9 (1996): 1–22.
- From Setting a National Agenda on Health Care to Making Decisions in Congress. *Journal of Health Politics, Policy and Law* 20 (1995): 437–45. (Frank R. Baumgartner and Jeffery C. Talbert)
- Nonlegislative Hearings and Policy Change in Congress. *American Journal of Political Science* 39, 2 (May 1995): 383–406. (Jeffery C. Talbert, Bryan D. Jones, and Frank R. Baumgartner)
- Reprinted in Steven S. Smith, Jason M. Roberts, and Ryan J. Vander Wielen, eds. *The American Congress Reader Pack*, various editions (New York: Cambridge University Press, 2011 and previous years)
- The Politics of Protest and Mass Mobilization in France. *French Politics and Society* 12 (1994): 84–96.

- The Destruction of Issue Monopolies in Congress. *American Political Science Review* 87, 3 (September 1993): 673–87. (Bryan D. Jones, Frank R. Baumgartner, and Jeffery C. Talbert)
- Agenda Dynamics and Policy Subsystems. *Journal of Politics* 53, 4 (November 1991): 1044–74. (Frank R. Baumgartner and Bryan D. Jones)
- Measurement Validity and the Continuity of Results in Survey Research. *American Journal of Political Science* 34, 3 (August 1990): 662–70. (Frank R. Baumgartner and Jack L. Walker)  
(In response to: Trends in Voluntary Group Membership: Comments on Baumgartner and Walker, by Tom W. Smith. *American Journal of Political Science* 34, 3 (August 1990): 646–61.)
- Independent and Politicized Policy Communities: Education and Nuclear Energy in France and the United States. *Governance* 2 (1989): 42–66.
- Afterword on Policy Communities: A Framework for Comparative Research. *Governance* 2 (1989): 86–94. (John Creighton Campbell, with Mark A. Baskin, Frank R. Baumgartner, and Nina P. Halpern)
- Educational Policy Making and the Interest Group Structure in France and the United States. *Comparative Politics* 21, 3 (April 1989): 273–88. (Frank R. Baumgartner and Jack L. Walker)
- Survey Research and Membership in Voluntary Associations. *American Journal of Political Science* 32, 4 (November 1988): 908–28. (Frank R. Baumgartner and Jack L. Walker)
- Parliament’s Capacity to Expand Political Controversy in France. *Legislative Studies Quarterly* 12 (1987): 33–54.  
– Reprinted in: *The International Library of Politics and Comparative Government: France*. Ed. David Bell. Hampshire, U.K.: Dartmouth Publishing, 1994.
- Preemptive and Reactive Spending in U.S. House Races. *Political Behavior* 8 (1986): 3–20. (Edie N. Goldenberg, Michael W. Traugott and Frank R. Baumgartner)

### **Articles Published in Law Reviews**

- Race and Gender Disparities in Capitally-Charged Louisiana Homicide Cases, 1976-2014. Forthcoming, 2022. *Southern University Law Review* (Tim Lyman, Frank R. Baumgartner, and Glenn L. Pierce)
- The Mayhem of Wrongful Liberty: Documenting the Crimes of True Perpetrators in Cases of Wrongful Incarceration. *Albany Law Review*, 81, 4 (2018): 1263–1288. (Frank R. Baumgartner, Amanda Grigg, Rachelle Ramirez, and J. Sawyer Lucy).
- Racial Disparities in Traffic Stop Outcomes. *Duke Forum for Law and Social Change* 9 (2017): 21–53. (Frank R. Baumgartner, Leah Christiani, Derek A. Epp, Kevin Roach, and Kelsey Shoub)
- These Lives Matter, Those Ones Don’t: Comparing Execution Rates by the Race and Gender of the Victim in the US and in the Top Death Penalty States. *Albany Law Review* 79, 3 (2016): 797–860. (Frank R. Baumgartner, Emma Johnson, Colin Wilson, and Clarke Whitehead)
- The Geographic Distribution of US Executions. *Duke Journal of Constitutional Law and Public Policy* 11, 1&2 (2016): 1–33. (Frank R. Baumgartner, Woody Gram, Kaneesha R. Johnson, Arvind Krishnamurthy, and Colin P. Wilson)
- Louisiana Death-Sentenced Cases and their Reversals, 1976-2015. *Journal of Race, Gender, and Poverty* 7 (2016): 58–75. (Frank R. Baumgartner and Tim Lyman)



Race-Of-Victim Discrepancies in Homicides and Executions, Louisiana 1976-2015. *Loyola University of New Orleans Journal of Public Interest Law* 17 (2015): 128-44. (Frank R. Baumgartner and Tim Lyman)

### **Book Chapters**

The Code and Craft of Punctuated Equilibrium. In Christopher M. Weible and Samuel Workman, eds., *Methods of the Policy Process*. Abingdon, UK: Routledge, forthcoming 2021. (Samuel Workman, Frank R. Baumgartner, and Bryan D. Jones)

In *Comparative Policy Agendas: Theory, Tools, Data*, 2019, Oxford University Press. (Frank R. Baumgartner, Christian Breunig, and Emiliano Grossman, eds.)

– The Comparative Agendas Project: Intellectual Roots and Current Developments (Frank R. Baumgartner, Christian Breunig, and Emiliano Grossman), pp. 3–16.

– Advancing the Study of Comparative Public Policy (Frank R. Baumgartner, Christian Breunig, and Emiliano Grossman), pp. 391–398.

Punctuated Equilibrium Theory: Explaining Stability and Change in Public Policy. In Christopher M. Weible and Paul A. Sabatier, eds., *Theories of the Policy Process* 4th ed. Abingdon, UK: Routledge, 2018, pp. 55–101. (Frank R. Baumgartner, Bryan D. Jones, and Peter B. Mortensen)

Politics in France: Participation versus Control. In Paulette Kurzer, eds., *Comparative Governance*. New York: McGraw-Hill, 2017. (Previously published as “France: The Fifth Republic at Fifty” in 2012 and 2008 and as “Politics in France: Democracy and Efficiency” in 2005, 2000, 1997, 1995.) (2017 edition co-authored with Sebastien G. Lazardeux)

John Kingdon and the Evolutionary Approach to Public Policy and Agenda-Setting. In Nikolaos Zahariadis, ed. *Handbook of Public Policy Agenda-Setting*. Cheltenham, UK: Edward Elgar, 2016, pp. 53–68.

Agendas: Political. 2015. In: James D. Wright (editor-in-chief), *International Encyclopedia of the Social & Behavioral Sciences*, 2nd edition, Vol 1. Oxford: Elsevier. pp. 362–366.

Population Dynamics and Representation. In David Lowery, Virginia Gray, and Darren Halpin, eds., *The Organization Ecology of Interest Communities: Assessment and Agenda*. London: Palgrave Macmillan, 2015, pp 203–24. (Frank R. Baumgartner and Kelsey Shoub)

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Public Policy Responses to Wrongful Convictions. In Allison D. Relich, James R Acker, Robert J. Norris, and Catherin L. Bonventre, eds., *Examining Wrongful Convictions: Stepping Back, Moving Forward*. Durham, NC: Carolina Academic Publishing, 2014, pp. 251–66. (Frank R. Baumgartner, Sandra D. Westervelt, and Kimberly J. Cook)

Lessons from the “Lobbying and Policy Change” Project. In Layna Mosley, ed., *Interview Research in Political Science*. Ithaca, NY: Cornell University Press, 2013, pp. 209–24. (Beth L. Leech, Frank R. Baumgartner, Jeffrey M. Berry, Marie Hojnacki, and David C. Kimball)

Tracking Interest-Group Populations in the US and UK. In Darren Halpin and Grant Jordan, eds., *The Scale of Interest Organization in Democratic Politics*. London: Palgrave Macmillan,

- 2012, pp. 141–60. (Grant Jordan, Frank R. Baumgartner, John McCarthy, Shaun Bevan, and Jamie Greenan)
- Incrémentalisme et les punctuations budgétaires en France. In Philippe Bezes et Alexandre Siné, eds., *Gouverner (par) les finances publiques*. Paris: Presses de Sciences Po, 2011, pp. 299–322. (Frank R. Baumgartner, Martial Foucault, and Abel François)
- Interest Groups and Agendas. In L. Sandy Maisel and Jeffrey M. Berry, eds., *Oxford Handbook of American Political Parties and Interest Groups*. New York: Oxford University Press, 2010, pp. 519–33.
- The Decline of the Death Penalty: How Media Framing Changed Capital Punishment in America. In Brian F. Schaffner and Patrick J. Sellers, eds. *Winning with Words: The Origins and Impact of Framing*. New York: Routledge, 2010, pp. 159–84. (Frank R. Baumgartner, Suzanna Linn and Amber E. Boydston)
- Patterns of Public Budgeting in the French Fifth Republic: From Hierarchical Control to Multi-Level Governance. In Sylvain Brouard, Andrew Appleton and Amy Mazur, eds., *The Fifth Republic at Fifty: Beyond Stereotypes*. London: Palgrave Macmillan, 2008, pp. 174–90. (Frank R. Baumgartner, Martial Foucault and Abel François)
- Punctuated Equilibrium Theory: Explaining Stability and Change in American Policymaking. In Paul Sabatier, ed., *Theories of the Policy Process* 2<sup>nd</sup> ed. Boulder: Westview Press, 2007, pp. 155–188. (James L. True, Bryan D. Jones, and Frank R. Baumgartner)
- Friction, Resistance, and Breakthroughs. In Liesbet Heyse, Sandra Resodihardjo, Tineke Lantink, and Berber Lettinga, eds. *Reform in Europe: Breaking the Barriers in Government*. Hampshire (UK): Ashgate, 2006, pp. 193–200.
- Punctuated Equilibrium Theory and Environmental Policy. In Robert Repetto, ed., *Punctuated Equilibrium and the Dynamics of U.S. Environmental Policy*. New Haven: Yale University Press, 2006, pp. 24–46.
- Social Movements, the Rise of New Issues, and the Public Agenda. In David S. Meyer, Valerie Jenness, and Helen Ingram, eds., *Routing the Opposition: Social Movements, Public Policy, and Democracy*. Minneapolis: University of Minnesota Press, 2005, pp. 65–86. (Frank R. Baumgartner and Christine Mahoney)
- The following chapters in Clive S. Thomas, ed., *Research Guide to US and International Interest Groups*. Westport, CT: Praeger Press, 2004:
- The Origins, Organization, Maintenance, and Mortality of Interest Groups (with Beth L. Leech), pp. 95–111.
  - Criminal Justice Interest Groups (with Michael C. MacLeod), pp. 248–49.
  - Education Interest Groups (with Michael C. MacLeod), pp. 221–23.
  - Health-Care Interest Groups (with Jeffery C. Talbert), pp. 257–59.
- The following chapters in Frank R. Baumgartner and Bryan D. Jones, eds., *Policy Dynamics*. Chicago: University of Chicago Press, 2002:
- Introduction: Positive and Negative Feedback in Politics (Frank R. Baumgartner and Bryan D. Jones)
  - Studying Policy Dynamics (Frank R. Baumgartner, Bryan D. Jones, and John Wilkerson)
  - The Changing Agendas of Congress and the Supreme Court (Frank R. Baumgartner and Jamie Gold)
  - Conclusion (Frank R. Baumgartner and Bryan D. Jones)
- Organized Interests and Issue Definition in Policy Debates. In Allan J. Cigler and Burdett A.

- Loomis, eds., *Interest Group Politics*, 6th ed. Washington, D.C.: Congressional Quarterly, 2002, pp. 275–92. (Frank R. Baumgartner, Jeffrey M. Berry, Marie Hojnacki, Beth L. Leech, and David C. Kimball)
- Political Agendas. In Niel J. Smelser and Paul B. Baltes, eds. *International Encyclopedia of Social and Behavioral Sciences: Political Science*. New York: Elsevier Science and Oxford: Pergamon, 2001, pp. 288–90.
- Interest Groups. In Paul Barry Clarke and Joe Foweraker, eds., *Encyclopedia of Democratic Thought*. London and New York: Routledge, 2001, pp. 371–74.
- Punctuated Equilibrium Theory: Explaining Stability and Change in American Policymaking. In Paul Sabatier, ed., *Theories of the Policy Process*. Boulder: Westview Press, 1999, pp. 97–115. (Bryan D. Jones, James L. True, and Frank R. Baumgartner)
- Lobbying Friends and Foes in Washington. In Allan J. Cigler and Burdett A. Loomis, eds., *Interest Group Politics*, 5th ed. Washington, D.C.: Congressional Quarterly, 1998, pp. 217–33. (Frank R. Baumgartner and Beth L. Leech)
- Media Attention and Congressional Agendas. In Shanto Iyengar and Richard Reeves, eds. *Do The Media Govern? Politicians, Voters, and Reporters in America*. Thousand Oaks, Calif.: Sage, 1997, pp. 355–69. (Frank R. Baumgartner, Bryan D. Jones and Beth L. Leech)
- The Many Styles of Policymaking in France. In John T.S. Keeler and Martin A. Schain, eds. *Chirac's Challenge: Liberalization, Europeanization and Malaise in France*. New York: St. Martin's and London: Macmillan, 1996, pp. 85–101.
- Interest Groups and Political Change. In Bryan D. Jones, ed., *The New American Politics*. Boulder: Westview Press, 1995, pp. 93–108. (Frank R. Baumgartner and Jeffery C. Talbert)
- Attention, Boundary Effects, and Large-Scale Policy Change in Air Transportation Policy. In David A. Rochefort and Roger W. Cobb, eds., *The Politics of Problem Definition*. Lawrence: University Press of Kansas, 1994, pp. 50–66. (Frank R. Baumgartner and Bryan D. Jones)
- France: Science within the State. In Etel Solingen, ed. *Between Power and Ethos: Scientists and the State in Comparative Perspective*. Ann Arbor: University of Michigan Press, 1994, pp. 63–91. (with David Wilsford)
- Preface and Epilogue: The Unfinished Research Agenda. In Jack L. Walker, Jr. *Mobilizing Interest Groups in America*. Ann Arbor: University of Michigan Press, 1991. (with Joel D. Aberbach, et al.)
- Strategies of Political Leadership in Diverse Settings. In Bryan D. Jones, ed., *Leadership and Politics: New Perspectives from Political Science*. Lawrence: University Press of Kansas, 1989, pp. 114–34

### ***Invited Essays and Other Publications***

*Mobilizing Interest Groups in America: Patrons, Professions, and Social Movements: A Retrospective*. *Interest Groups and Advocacy* 10, 1 (2021): 72–77. (Joel D. Aberbach, Frank R. Baumgartner, and Mark A. Peterson) doi: 10.1057/s41309-021-00114-3.

- Part of a symposium recognizing the 30<sup>th</sup> anniversary of the publication of Jack L. Walker Jr.'s book of that title. Other contributors include Andrew S. McFarland, Kathleen Marchetti, and Jesse M. Crosson, Alexander, C. Furnas, and Geoffrey M. Lorenz.

Forward: Political Actors and the Media. In Peter Van Aelst and Stefaan Walgrave, eds. *How*

- Political Actors Use the Media*. London: Palgrave Macmillan, 2017, pp. v–viii.
- Analyzing Patterns of Government Attention and What Drives Them: The Comparative Agendas Project. Introductory essay to a symposium on the Comparative Agendas Project. *Perspectives on Europe* 42, 2 (2012): 7-13. (Arco Timmermans and Frank R. Baumgartner)
- What We Can All Learn from Lin Ostrom. 2010. *Perspectives on Politics* 8, 2: 575–77. Invited essay as part of a symposium on the work of Nobel Prize winner Elinor Ostrom – Reprinted in *Elinor Ostrom and the Bloomington School of Political Economy: A Compendium of Key Statements, Collaborations, and Reactions, Volume 1: Polycentricity and the Bloomington School* (Daniel Cole and Michael McGinnis, eds., Lexington Books, 2015)
- “3. Jack L. Walker Jr. 1969. The Diffusion of Innovation Among the American States. *American Political Science Review* 63 (September): 880–99. Cited 482 times.” 2006. *American Political Science Review* 100, 4 (November): 672. Invited commentary as part of a review of “The APSR Citation Classics.”
- The Growth and Diversity of US Associations, 1956–2004: Analyzing Trends using the *Encyclopedia of Associations*. Working paper on my web site. March 29, 2005.
- Studying Interest Groups Using Lobby Disclosure Reports. *VOX POP* (Newsletter of the Political Organizations and Parties Section of the APSA) Vol. 18, No. 1 (Fall 1999), pp. 1–3. (with Beth L. Leech)
- The Policy Agendas Project: A Public Resource for the Systematic Study of Public Policy. *Policy Currents* (Newsletter of the Public Policy Section of the APSA) Vol. 9, No. 2 (June, 1999): 12–14. (with Bryan D. Jones) (Also published in *PS: Political Science and Politics*, 1999; and at the APSA web site: [www.apsanet.org/PS/announcements/](http://www.apsanet.org/PS/announcements/))
- Lessons from the Trenches: Ensuring Quality, Reliability, and Usability in the Creation of a New Data Source. *The Political Methodologist* (Newsletter of the Political Methodology Section of the APSA) Vol. 8, No. 2 (Spring 1998), pp. 1–10. (Frank R. Baumgartner, Bryan D. Jones, and Michael C. MacLeod)
- L’aide de l’état aux groupes d’intérêt en France: Le cas de l’éducation. *Problèmes politiques et sociaux* No. 511 (Paris: La Documentation Française), 1985.

### ***Legal / Criminal Justice / Legislative Testimony / Reports***

- A Statistical Overview of the Kentucky Death Penalty System, forthcoming 2022.
- Affidavit in support of Mr. Bruce Johnson regarding jury selection in Johnston County, NC, November 9, 2021.
- Affidavit in support of Mr. Nathan Holden regarding capital jury selection in Wake County, NC, June 10, 2021.
- Affidavit in support of Mr. Kendrick Gregory regarding capital jury selection in Wake County, NC, June 10, 2021.
- Expert Report on the cases of *Cox v. Commonwealth of Pennsylvania* and *Marinelli v. Commonwealth of Pennsylvania*, 102 EM 2018. May 4, 2021.
- Oral presentation to the Nevada Legislature regarding AB 379, a bill to remove expiration date stickers from NV automobile license plates as a means to reduce racial disparities, April 1, 2021.
- Aging in Place in the Big House: A Demographic Analysis of the North Carolina Prison Population. (Frank R. Baumgartner and Sydney Johnson) October 11, 2020.

- Expert Report on North Carolina's Disenfranchisement of Individuals on Probation and Post-Release Supervision. Submitted May 8, 2020 in the case of *Community Success Initiative v. Moore*, No. 19-cv-15941 (N.C. Super.). Court testimony before a three-judge panel in Raleigh, NC, August 18, 2021.
- Declining Use of the Death Penalty for Offenders 18, 19 and 20 Years of Age. Submitted, August 1, 2019 as part of the capital appeal of *State v. Guzek*, Marion County OR, No. 17CV08248. Court testimony in Salem OR, October 10, 2019.
- Capital and Non-Capital Murder Prosecutions in East Baton Rouge Parish, Louisiana, 2000–2016. Submitted, March 25, 2019 as part of the capital appeal of *Holliday v. State*. No. 2017-KA-1921.
- Amicus brief to the Supreme Court of Pennsylvania, Eastern District regarding racial bias in the application of the state's death penalty system. Related case is *Cox v. Commonwealth of Pennsylvania*, and *Marinelli v. Commonwealth of Pennsylvania*, 102 EM 2018; brief filed February 2019. (co-signed with Catherine M. Grosso and Jules Epstein as lead signatories and 21 other social scientists)
- Amicus brief to the Supreme Court of the State of Washington regarding racial bias in application of the state's death penalty system. Related case is *State v. Gregory* (no. 88086-7); brief filed January 22, 2018. (co-signed with Catherine Grosso and Jeffrey Fagan as lead signatories and nine other social scientists). In October, 2018, the Supreme Court of Washington ruled the death penalty unconstitutional based on racial and geographic bias, consistent with our brief.
- Analyzing Racial Disparities in Traffic Stops Statistics from the Texas Department of Public Safety. Report to the Texas House of Representatives, Committee on County Affairs, September 20, 2016. (Frank R. Baumgartner, Leah Christiani, and Kevin Roach)
- Amicus brief to the US Supreme Court regarding constitutional defects in the application of the death penalty. Related case is *Tucker v. Louisiana* (15-946); brief filed February 29, 2016. (lead author, with 20 signatories)
- The Impact of Race, Gender, and Geography on Florida Executions. 2016.
- The Impact of Race, Gender, and Geography on Ohio Executions. 2016.
- The Impact of Race, Gender, and Geography on Missouri Executions. 2015.
- Racial Disparities in Texas Department of Public Safety Traffic Stops, 2002-2014. Report to the Texas House of Representatives, Committee on County Affairs, November 18, 2015. (Frank R. Baumgartner, Bryan D. Jones, Julio Zaconet, Colin Wilson, Arvind Krishnamurthy)
- Analysis of Trespass Stops in Grand Rapids Michigan, 2011-2013. Report for the ACLU of Michigan as part of legal action alleging racial bias by the Grand Rapids Police Department. March 5, 2014.
- Affidavit in support of litigants seeking relief under the NC Racial Justice Act to be tried in Forsyth County, NC August 8, 2012.
- Amicus brief to the US Supreme Court regarding mandatory life without parole sentences for juveniles, January 17, 2012; related Supreme Court Decision is *Miller v. Alabama* No. 10–9646, Decided June 25, 2012. (co-signed with Jefferey Fagan lead author and 44 others)
- Member, Task Force on Racial and Ethnic Bias in the Criminal Justice System, North Carolina Advocates for Justice, 2010-2012. Our report (see below) led the Attorney General to create The North Carolina Commission on Racial Disparities in the Criminal Justice

System in September 2012. I am not a member of this commission but have consulted with it.

North Carolina Traffic Stop Statistics Analysis. Report to the North Carolina Advocates for Justice, 1 February 2012. (with Derek A. Epp) These technical reports were based on official statistics provided by the NC Department of Justice and relate to possible racial bias associated with each traffic stop in the state from January 1, 2000 through June 2011. The report was submitted to the Governor, Attorney General, and leaders of both parties in both chambers of the NC legislature in April 2012. In June 2012, it was leaked to the press.

### ***Opinion Pieces / Op Eds***

Thousands of prisoners have died of covid-19. Because of the “tough on crime” era, there’s worse to come. *WashingtonPost.com* Monkey Cage, August 26, 2021 (Frank R. Baumgartner, Tamira Daniely, Kalley Huang, Sydney Johnson, Alexander Love, Lyle May, Patrice McGloin, Allison Swagert, Niharika Vattikonda, and Kamryn Washington).

If Biden abolishes the federal death penalty, he’ll have more support than you think. *WashingtonPost.com* Monkey Cage, August 3, 2021.

Why traffic stops can be deadly for people of color. *Los Angeles Times*. April 16, 2021. (Frank R. Baumgartner, Derek Epp and Kelsey Shoub)

Virginia may abolish the death penalty. There’s a racist history behind why a few jurisdictions use it most. *WashingtonPost.com* Monkey Cage, February 4, 2021. (Frank R. Baumgartner and Christian Caron)

Ten Years of Study and the Protesters are Right. What traffic stops tell us about racial bias in policing. *Medium.com/3streams*, June 25, 2020 (Frank R. Baumgartner, Leah Christiani, Derek A. Epp, Kelsey Shoub, and Kevin Roach)

The fears of Driving While Black in NC are true. The data prove it. *Raleigh News and Observer*, July 27, 2018 (Frank R. Baumgartner, Derek A. Epp and Kelsey Shoub)

What 20 Million Traffic Stops Reveal about Policing and Race in America. *SSN Key Findings*, June 2018 (Frank R. Baumgartner and Derek A. Epp)

An American Epidemic: Crimes of Wrongful Liberty. *InjusticeWatch.org*, April 3, 2018. (Jennifer E. Thompson and Frank R. Baumgartner)

America’s Failed Efforts to Reform the Death Penalty. *SSN Key Findings*, February 2018. (Frank R. Baumgartner, Marty Davidson, Kaneesha Johnson, Arvind Krishnamurthy, and Colin Wilson)

A few counties are responsible for the vast majority of executions. This explains why. *WashingtonPost.com* Monkey Cage, February 1, 2018 (Frank R. Baumgartner, Janet M. Box-Steffensmeier, and Benjamin W. Campbell)

There’s been a big change in how the news media covers sexual assault. *WashingtonPost.com* Monkey Cage, May 11, 2017. (Frank R. Baumgartner and Sarah McAdon)

Arkansas plans to execute 7 men in 11 days. They’re likely to botch one. *WashingtonPost.com* Monkey Cage, April 14, 2017 (Frank R. Baumgartner and Kaneesha Johnson)

Does the death penalty target people who are mentally ill? We checked. *WashingtonPost.com* Monkey Cage, April 3, 2017 (Frank R. Baumgartner and Betsy Neill)

U.S. executions and death sentences dropped dramatically in 2016 — except in a few hotspots. *WashingtonPost.com* Monkey Cage, January 27, 2017. (Frank R. Baumgartner, Arvind Krishnamurthy and Emily Williams)

- Is Congress working as it should? Depends on who you are, by Frank R. Baumgartner and Lee Drutman, *Vox.com*, September 15, 2016.
- Forty Years of Experience with the “New and Improved” Death Penalty, 1976–2016, *The American Prospect*, July 5, 2016.
- Study shows racial bias in death penalties in Florida, *The Florida Times Union* (Jacksonville), February 5, 2016
- Racial bias plagues Florida’s death penalty, *The Gainesville (FL) Sun*, January 26, 2016 (online), January 31 (print).
- Americans are turning against the death penalty. Are politicians far behind?  
*WashingtonPost.com* Monkey Cage December 7, 2015 (Frank R. Baumgartner, Emily Williams and Kaneesha Johnson)
- Racial bias plagues state’s death penalty, *Shreveport Times*, September 24, 2015.
- The death penalty is about to go on trial in California. Here’s why it might lose.  
*WashingtonPost.com* Monkey Cage, August 5, 2015.
- Missouri should abandon death penalty, *St. Louis American*, July 22, 2015
- The number of lethal injections is declining. That’s what history would predict.  
*WashingtonPost.com* Monkey Cage, June 29, 2015.
- Differential Policing by Neighborhood, June 11, 2015. *TheUrbanNews.com*
- The Death Penalty: A Symbol of Which Lives Matter, and Which Lives Don’t, April 24, 2015.  
*90MillionStrong.org*
- Most death penalty sentences are overturned. Here’s why that matters. *WashingtonPost.com* Monkey Cage Blog, March 17, 2015. (Frank R. Baumgartner and Anna W. Dietrich)
- North Carolina’s rickety, unreliable death penalty, *Raleigh News and Observer*, February 14, 2015
- NC’s death penalty: Going, going, good riddance. *North Carolina Policy Watch*, November 18, 2013. Reprinted in *Durham Herald-Sun*, December 2, 2013 and in the *Chapel Hill News* under the title of “Death penalty still failed policy.”
- A Half Century after the March on Washington, Little Attention to the Struggles of the Poor.  
SSN Key Findings, October 2013. (Frank R. Baumgartner and Max Rose)
- Governor must veto RJA repeal, *Winston Salem Journal*, December 8, 2011
- Detecting bias essential in death penalty cases, *The Burlington Times-News*, November 26, 2011
- On the decline: murders and death sentences, *Raleigh News and Observer*, October 31, 2010.
- Death Penalty Moratorium is Not Enough, *Chapel Hill News*, October 10, 2010.
- Time to Commute N.C.’s Death Sentences. *Carrboro Citizen*, September 20, 2010.
- N.C. Should Commute Death Sentences, *Herald-Sun*, September 16, 2010.
- The Death of the Death Penalty at Hand? *Asheville Citizen-Times*, September 16, 2010.
- In N.C., only 20 percent of condemned are executed. *Charlotte Observer*, March 5, 2010.
- Death penalty’s vanishing point? *Raleigh News and Observer*, January 24, 2010.

### **Book Reviews**

- Strach, Patricia. *Hiding Politics in Plain Sight: Cause Marketing, Corporate Influence, and Breast Cancer Marketing*. (New York: Oxford University Press, 2016). *Perspectives on Politics* 16, 1 (2018): 228–229.
- Agenda Setting in Comparative Perspective. Review of: Christoffer Green-Pedersen and Stefaan Walgrave Agenda Setting, eds. *Policies, and Political Systems: A Comparative Approach*. (Chicago: University of Chicago Press, 2014). *Perspectives on Politics* 14, 2 (2016): 456–60.

- The Gatekeepers of International Human Rights; review of “*Lost*” *Causes: Agenda Vetting in Global Issue Networks and the Shaping of Human Security*, by Charli Carpenter (Ithaca: Cornell University Press, 2014). *International Studies Review* 17, 4 (2015): 711–13.
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## REVIEWS OF MY BOOKS

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*Deadly Justice: A Statistical Portrait of the Death Penalty*

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- *Perspectives on Politics* 14, 2 (2016): 540–541, by Thomas Jeffrey Miley
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#### *The Politics of Information*

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- *European Political Science* (2016), by Tevfik Murat Yildirim (Joint review of *Politics of Information and Agenda Dynamics in Spain*)
- *Governance* 29, 4 (2016): 581-83, by Jacob S. Hacker
- Review Symposium in *Perspectives on Politics* 14, 2 (2016): 498-506, with commentaries by Kuhika Gupta, Kathleen Knight, Eric Patashnik, and Scott E. Robinson
- *Congress & the Presidency* (2016), by Gisela Sin
- *Public Administration* 94, 4 (2016): 1155–57, by Peter Mortensen
- Symposium in *Interest Groups and Advocacy* 4, 3 (2015): 297-310, with reviews by Edward T. Walker, Matt Grossman, and Anne S. Binderkrantz
- *Cognitive Systems Research* 40 (2016): 114–115, by George Kampis
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- *The International Journal of Press/Politics* 14 (2009): 134-140, by James N. Druckman
- *Journal of Politics* 71 (2009): 1604-1606, by Rosalee A. Clawson

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- *Criminal Justice Policy Review* 20, 4 (2009): 507-508, by Tiffany Bergin
- *Theoretical Criminology* 13, 2 (2009): 259-62 by Alexander J. Blenkinsopp
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- *Social Science Quarterly* 71, 4 (1990): 879, by Jurg Steiner
- *Choice* 1990, by M. G. Roskin
- *The Public Historian* 12, 3 (1990): 155-156, by David Mock
- *Politiques et Management Public* 8, 1 (1990): 157–159, by Luc Rouban (review in French)
- *Perspectives on Political Science* 19, 4: (1990): 233–234, by Vincent E. McHale

### **SUPREME COURT DECISIONS REFERRING TO MY RESEARCH**

Oregon Supreme Court, 365 Or 695 (S066119) *State v. Arreola-Botello*, November 15, 2019, stating that a police officer may not conduct a search following a traffic stop if that search is unrelated to the purpose of the original stop. The Court noted our research on the racial disparities in such searches.

Arizona Supreme Court, CR-11-0107-AP, August 16, 2018, Justice Winthrop concurring in part and dissenting in part in *Arizona v. Bush*, on the issue of geographic concentration of death sentences by county.

United States Supreme Court, 14-7153 and 17-7245, June 28, 2018, Justice Breyer in his dissents to the denial of cert in *Jordan v. Mississippi* and *Evans v. Mississippi*, on three separate issues: increasing delays on death row before execution, high proportions of homicides that are death-eligible, and the increasing geographic concentration of executions in just a few counties.

Iowa Supreme Court, No. 16-0735, June 28, 2018, *Iowa v. Ingram*, on the use of traffic stops as an “unregulated tool in crime control”.

United States Supreme Court, 14-7955, June 29, 2015, Justice Breyer in his dissent in *Glossip v. Gross*, on the rate at which death sentences are overturned.

### **CONFERENCE PRESENTATIONS**

Driving while Black (and Male, and Young, and...): Evidence of Disparities at the Margin and the Intersection. Paper presented at the annual meetings of the American Political Science Association, Boston, MA, August 30–September 2, 2018. (Frank R. Baumgartner, Leah Christiani, Derek Epp, Santiago Olivella, Kevin Roach, and Kelsey Shoub)

Policing the Powerless: How Black Political Power Reduces Racial Disparities in Traffic Stops Outcomes. Paper presented at the annual meetings of the Midwest Political Science Association, Chicago IL, April 5–8, 2018. (Frank R. Baumgartner, Leah Christiani, Derek Epp, Kevin Roach, and Kelsey Shoub)

Why Congressional Capacity Is Not Enough. Paper presented at the State of Congressional Capacity Conference, New America Foundation, Washington, DC, March 1–2, 2018. (Frank R. Baumgartner and Bryan D. Jones)

Author meets critics panel on *Deadly Justice: A Statistical Portrait of the Death Penalty*. Annual meeting of the American Society of Criminology, Philadelphia, November 15–18, 2017.

Stasis and Punctuation in State Tax Policy. Paper presented at the Annual Meeting of the American Political Science Association, San Francisco, August 31–September 3, 2017. (Herschel F. Thomas, Frank R. Baumgartner, and Derek A. Epp)

- Emotional Responses to Racially Disparate Policing. Paper presented at the Annual Meeting of the American Political Science Association, August 31-September 3, 2017. (D'Andra Orey, Frank R. Baumgartner, and Stuart Soroka)
- Assessing Racial Disparities in Traffic Stops. Paper presented at the Annual Meeting of the American Political Science Association, August 31-September 3, 2017. (Frank R. Baumgartner, Derek A. Epp, Leah Christiani, Kevin Roach, and Kelsey Shoub)
- Stasis and Punctuation in State Tax Policy. Paper presented at the Annual Meeting of the Comparative Agendas Project, Edinburgh, June 15-17, 2017. (Herschel F. Thomas, Frank R. Baumgartner, and Derek A. Epp)
- Policing the Powerless: How Black Political Power Reduces Racial Disparities in Traffic Stop Outcomes. Paper presented at the annual meetings of the Midwest Political Science Association, Chicago, IL, April 6–8, 2017. (Kelsey Shoub, Frank R. Baumgartner, and Derek A. Epp)
- Author Meets Critics Panel on *The Politics of Information*. Annual meeting of the Public Management Research Association, Aarhus, Denmark, 23 June 2016.
- Geographic Disparities in US Capital Punishment. Paper presented at the *Duke Journal of Constitutional Law and Public Policy* Spring 2016 Symposium: Death Penalty in America Post-Glossip, Durham, NC, February 19, 2016. (Frank R. Baumgartner, Woody Gram, Kaneesha Johnson, Arvind Krishnamurthy, and Colin Wilson)
- Budgeting in Authoritarian and Democratic Regimes. Paper presented at the Political Budgeting across Europe conference, Texas A&M University, December 2015 (Frank R. Baumgartner, Marcello Carammia, Derek A. Epp, Ben Noble, Beatriz Rey, and Tevfik Murat Yildirim)
- Images of an Unbiased Interest System. Paper presented at the annual meetings of the American Political Science Association, San Francisco, CA, September 2–6, 2015. (David Lowery, Frank R. Baumgartner, Joost Berkhout, Jeffrey M. Berry, Darren Halpin, Marie Hojnacki, Heike Klüver, Beate Kohler-Koch, Jeremy Richardson, and Kay Lehman Schlozman)
- Budgeting in Authoritarian and Democratic Regimes. Paper presented at the annual meetings of the Comparative Agendas Project, Lisbon, June 2015. (Frank R. Baumgartner, Petra Bishtawi, Marcello Carammia, Derek A. Epp, Ben Noble, Beatriz Rey, and Tevfik Murat Yildirim)
- Punctuated Equilibrium in Public Budgeting in Authoritarian and Democratic Brazil. Paper presented at the annual meetings of the Midwest Political Science Association, Chicago, IL, April 16–19, 2015. (Beatriz Rey, Derek A. Epp, and Frank R. Baumgartner)
- Policy Competition and Friction. Paper presented at the workshop on The Politics of Non-Proportionate Policy Response, ECPR Joint Workshops, Warsaw Poland, 29 March – 2 April 2015.
- The Mayhem of Wrongful Liberty: Documenting the Crimes of True Perpetrators in Cases of Wrongful Incarceration. Paper presented at the Innocence Network Conference, Portland OR, April 11-12 2014. (Frank R. Baumgartner, Amanda Grigg, Rachelle Ramirez, Kenneth J. Rose, and J. Sawyer Lucy)
- How Robust are Distributional Findings of Punctuated Equilibrium in Public Budgets? Paper presented at the annual meetings of the Midwest Political Science Association, Chicago IL, April 2–6, 2014. (Derek A. Epp and Frank R. Baumgartner)

- The Diversity of Internet Media: Utopia or Dystopia? Paper presented at the annual meetings of the Midwest Political Science Association, Chicago IL, April 2–6, 2014. (Bryan J. Dworak, John Lovett, and Frank R. Baumgartner)
- The Hierarchy of Victims in Death Penalty Processing. Paper presented at the annual meeting of the National Conference of Black Political Scientists, Wilmington DE, March 13–15, 2014. (Frank R. Baumgartner, Seth Kotch, and Isaac Unah)
- The Two Worlds of Lobbying: Washington Lobbyists in the Core and on the Periphery. Paper presented at the annual meetings of the American Political Science Association, Chicago, August 29–September 1, 2013. (Tim LaPira, Trey Thomas, and Frank R. Baumgartner).
- Finding the Limits of Partisan Budgeting. Paper presented at the annual meetings of the Association Française de Science Politique, Paris, July 9–11, 2013. (Derek A. Epp, John Lovett, and Frank R. Baumgartner)
- Explaining Punctuations. Paper presented at the annual meetings of the Comparative Agendas Project, Antwerp, Belgium, June 27–29, 2013. (Frank R. Baumgartner and Derek A. Epp)
- All News is Bad News: Newspaper Coverage of Politics in Spain. Paper presented at the annual meetings of the Council for European Studies, Amsterdam, June 24–26, 2013. (Frank R. Baumgartner and Laura Chaqués Bonafont).
- Contraverting Expectations: New Empirical Evidence on Congressional Lobbying and Public Policy. Paper presented at the SUNY Albany Law School Conference, Under the Influence? Interest Groups, Lobbying, and Campaign Finance, March 8–9, 2013.
- When Is There a Single Media Agenda? Paper presented at the annual meetings of the Midwest Political Science Association, Chicago, April 12–14, 2012. (John Lovett and Frank R. Baumgartner)
- Searching for Election Effects in US Policymaking and Spending. Paper presented at the annual meetings of the Midwest Political Science Association, Chicago, April 12–14, 2012. (Derek A. Epp, John Lovett, and Frank R. Baumgartner)
- Who Cares About the Lobbying Agenda? Paper presented at the Annual Meeting of the American Political Science Association, Seattle, WA, August 30–September 3, 2011. (David C. Kimball, Frank R. Baumgartner, Jeffrey M. Berry, Marie Hojnacki, Beth L. Leech, and Bryce Summary)
- Developing Policy-Specific Conceptions of Mood: The United States. Paper presented at the Annual Meetings of the Comparative Agendas Project, Catania, Italy, June 23–25, 2011. (Mary Layton Atkinson, Frank R. Baumgartner, K. Elizabeth Coggins, and James A. Stimson)
- Legislative Productivity and Divided Government in the US and France. Paper presented at the Council of European Studies, Barcelona, June 20, 2011. (Frank R. Baumgartner, Sylvain Brouard, Emiliano Grossman, Sebastien G. Lazardoux, and Jon Moody)
- Mood and Agendas: Developing Policy-Specific Conceptions of Mood. Paper presented at the annual meeting of the Midwest Political Science Association, Chicago, March 30–April 3, 2011. (Mary Layton Atkinson, Frank R. Baumgartner, Elizabeth Coggins, and James A. Stimson)
- Explaining the Surprising Decline of Capital Punishment in North Carolina. Paper presented at the annual meetings of the National Conference of Black Political Scientists, March 18, 2011, Raleigh, NC. (Frank R. Baumgartner and Isaac Unah)
- Ideas and Policy Change. Paper presented at the *Governance* Symposium on Policy Paradigms and Social Learning Suffolk University, February 11, 2011, Boston.

- Retrospective on 20 years after the publication of Jack L. Walker, Jr.'s *Mobilizing Interest Groups in America*, annual meetings of the Southern Political Science Association, New Orleans, LA, January 8–11, 2011.
- The Decline of Capital Punishment in North Carolina. Paper presented at the annual meetings of the American Society of Criminology, San Francisco, CA, November 17–20, 2010. (Frank R. Baumgartner and Isaac Unah)
- Advocates and Interest Representation in Policy Debates. Paper presented at the Annual Meeting of the American Political Science Association, Washington, DC, September 1–4, 2010. (Marie Hojnacki, Kathleen Marchetti, Frank R. Baumgartner, Jeffrey M. Berry, David C. Kimball, and Beth L. Leech)
- Author meets critics panel on *Lobbying and Policy Change*, annual meetings of the Southern Political Science Association, Atlanta, GA, January 7–10, 2010.
- Taking Advantage of “Crisis.” Paper presented at the workshop on Politics in Times of Crisis, University of Heidelberg, Germany, December 4–5, 2009.
- Dynamic Threshold Modeling of Budget Changes. Paper presented at the annual meeting of the Association for the Advancement of Artificial Intelligence, Washington, DC, November 5–7, 2009. (Bryan D. Jones, László Zalányi, Frank R. Baumgartner, and Péter Érdi)
- Measuring the Size and Scope of the EU Interest Group Population. Paper prepared for the 5th ECPR General Conference, Potsdam, Germany, September 10–12, 2009. (Arndt Wonka, Frank R. Baumgartner, Christine Mahoney, Joost Berkhout)
- The Structure and Stability of Lobbying Networks in Washington. Paper presented at the annual meeting of the Midwest Political Science Association, Chicago, April 2–5, 2009. (with Timothy M. LaPira and Herschel F. Thomas III)
- Comparing the Topics of Front-Page and Full-Paper Stories in the New York Times. Paper presented at the annual meeting of the Midwest Political Science Association, Chicago, April 2–5, 2009. (with Michelle Wolfe, Amber E. Boydstun)
- Author meets critics panel on *The Decline of the Death Penalty*, annual meetings of the Academy for Criminal Justice Sciences, Boston, March 13, 2009.
- Partisanship and Political Attention in France: Agenda Dynamics and Electoral Incentives. Paper presented at the Annual Meeting of the American Political Science Association, Boston, MA, August 28–31, 2008. (with Sylvain Brouard and Emiliano Grossman)
- Tracing Interest-Group Populations in the US and UK. Paper presented at the Annual Meeting of the American Political Science Association, Boston, MA, August 28–31, 2008. (with Grant Jordan, John McCarthy, Shaun Bevan, and Jamie Greenan)
- Advocacy Behavior and Conflict Expansion in Policy Debates. Paper presented at the Annual Meeting of the American Political Science Association, Boston, MA, August 28–31, 2008. (with Marie Hojnacki, Jeffrey M. Berry, David C. Kimball, and Beth L. Leech)
- Policy Attention in State and Nation: Is Anyone Listening to the Laboratories of Democracy? Paper presented at the Annual Meeting of the American Political Science Association, Boston, MA, August 28–31, 2008. (with David Lowery and Virginia Gray)
- Legislative Productivity in Comparative Perspective: An Introduction to the Comparative Agendas Project. Paper presented at the ECPR Joint Sessions, Rennes, April 11–16, 2008. (Sylvain Brouard, Frank Baumgartner, John Wilkerson, Gerard Breeman, Christian Breunig, Laura Chaqués Bonafont, Christopher Green-Pedersen, Will Jennings, Peter John, Bryan Jones, David Lowery, Arco Timmermans, and Shaun Bevan)

- The Structure of Washington Lobbying Networks: Mapping the Ties that Bind. Paper presented at the annual meetings of the Midwest Political Science Association, Chicago IL, April 3–6, 2008. (With Timothy M. La Pira and Herschel F. Thomas III)
- The Discovery of Innocence: Americans and the Death Penalty. Paper presented at the annual meetings of the National Conference of Black Political Scientists, Chicago, March 21, 2008.
- Patterns of Public Budgeting in the French Fifth Republic: From Hierarchical Control to Multi-Level Governance. Paper presented at the annual meetings of the American Political Science Association, Chicago IL, August 30–September 2, 2007. (with Martial Foucault and Abel François)
- Washington: The Real No-Spin Zone. Paper presented at the annual meetings of the American Political Science Association, Chicago IL, August 30–September 2, 2007. (with Jeff Berry, Marie Hojnacki, Beth Leech, and David Kimball)
- Federal Policy Activity and the Mobilization of State Lobbying Organizations. Paper presented at the annual meetings of the American Political Science Association, Chicago IL, August 30–September 2, 2007. (with Virginia Gray and David Lowery)
- The Discovery of Innocence and the Decline of the Death Penalty. Paper presented at the research conference on issue framing, American University, Washington DC, June 21, 2007. (with Suzanna De Boef, and Amber E. Boydstun)
- Public Budgeting in EU Commission: A Test of the Punctuated Equilibrium Thesis. Paper presented at the annual meetings of the European Union Studies Association, Montreal, Canada, May, 2007. (with Martial Foucault and Abel François)
- Does Money Buy Power? Interest Group Resources and Policy Outcomes. Paper presented at the annual meetings of the Midwest Political Science Association, Chicago, April 12–15, 2007. (with Jeff Berry, Marie Hojnacki, Beth Leech, and David Kimball)
- Congressional Influence on State lobbying Activity. Paper presented at the annual meetings of the Midwest Political Science Association, Chicago, April 12–15, 2007. (with Virginia Gray and David Lowery)
- Goals, Salience, and the Nature of Advocacy. Paper presented at the annual meetings of the American Political Science Association, Philadelphia, August 31–September 3, 2006. (with Jeff Berry, Marie Hojnacki, Beth Leech, and David Kimball)
- Essays on Policy Dynamics. Paper presented at the European Consortium for Political Research, Nicosia, Cyprus, April 25–30, 2006. (with Bryan D. Jones, Heather Larsen-Price, James L. True, and John Wilkerson)
- Punctuated Equilibrium in French Budgeting Processes. Paper presented at the European Consortium for Political Research, Nicosia, Cyprus, April 25–30, 2006. (with Martial Foucault and Abel François)
- The Structure of Policy Conflict. Paper presented at the annual meetings of the Midwest Political Science Association, Chicago, April 20–23, 2006. (with Jeff Berry, Marie Hojnacki, Beth Leech, and David Kimball)
- Framing Capital Punishment: Morality, Constitutionality, and Innocence, 1960–2004. Paper presented in a plenary address by Baumgartner to the annual meeting of the National Coalition to Abolish the Death Penalty, Austin Texas, October 27–30, 2005. (with Suzanna De Boef, Amber E. Boydstun, Frank E. Dardis, and Fuyuan Shen)
- A Model of Choice for Public Policy. Paper presented at the annual meetings of the Midwest Political Science Association, Chicago, April 7–10, 2005. (with Bryan D. Jones)



- The Determinants and Effects of Interest-Group Coalitions. Paper presented at the annual meetings of the American Political Science Association, Chicago, September 2–5, 2004. (with Christine Mahoney)
- An Evolutionary Factor Analysis Approach to the Study of Issue-Definition. Paper presented at the annual meetings of the Midwest Political Science Association, Chicago, April 15–18, 2004. (with Suzanna De Boef and Amber E. Boydston)
- Representation and Agenda-Setting. Paper presented at the annual meetings of the American Political Science Association, August 28–31, 2003. (with Bryan D. Jones) (Nominated, best paper, Public Policy Section.)
- The Co-evolution of Groups and Government. Paper presented at the annual meetings of the American Political Science Association, August 28–31, 2003. (with Beth L. Leech and Christine Mahoney)
- Symbols and Advocacy. Paper presented at the annual meetings of the Midwest Political Science Association, Chicago, April 3–6, 2003. (with Marie Hojnacki)
- Gaining Government Allies: Groups, Officials, and Alliance Behavior. Paper presented at the annual meetings of the Midwest Political Science Association, Chicago, April 25–28, 2002. (with Christine Mahoney)
- The Demand Side of Lobbying: Government Attention and the Mobilization of Organized Interests. Paper presented at the annual meetings of the Midwest Political Science Association, Chicago, April 25–28, 2002. (with Beth L. Leech, Timothy La Pira, and Nicholas A. Semanko)
- Policy Macro-Punctuations: How the US Government Budget Evolved. Paper presented at the conference on Budgetary Policy Change: Measures and Models, Nuffield College, Oxford, March 8–9, 2002. (with Bryan D. Jones and James L. True)
- Patterns and Punctuations in the US Budget. Paper presented at the conference on Budgetary Policy Change: Measures and Models, Nuffield College, Oxford, March 8–9, 2002. (with Bryan D. Jones and James L. True)
- Social Movements and the Rise of New Issues. Paper presented at the Conference on Social Movements, Public Policy, and Democracy at the University of California, Irvine, January 11–13, 2002.
- Issue Advocacy and Interest-Group Influence. Paper presented at the First General Conference, European Consortium for Political Research (ECPR 2001), University of Kent at Canterbury, England, September 6–8, 2001. (with Jeffrey M. Berry, Marie Hojnacki, Beth L. Leech, and David C. Kimball)
- Policy Dynamics. Paper presented at the annual meetings of the Midwest Political Science Association, Chicago, April 18–21, 2001. (with Bryan D. Jones)
- Where is the Public in Public Policy? Paper presented at the conference on Political Participation: Building a Research Agenda, Princeton University, October 12–14, 2000. (with Beth L. Leech)
- Advocacy and Policy Argumentation. Paper presented at the annual meetings of the American Political Science Association, Washington, DC, August 30–September 3, 2000. (with Jeffrey M. Berry, Marie Hojnacki, Beth L. Leech, and David C. Kimball)
- Lobbying Alone or in a Crowd: The Distribution of Lobbying in a Sample of Issues. Paper presented at the annual meetings of the Midwest Political Science Association, Chicago, April 27–29, 2000. (with Beth L. Leech)
- The Evolution of American Government, 1947–1999. Paper presented at the annual meetings of

- the American Political Science Association, Atlanta, GA, September 2–5, 1999. (with Bryan D. Jones)
- Business Advantage in the Washington Lobbying Community: Evidence from the 1996 Lobby Disclosure Reports. Paper presented at the annual meetings of the Midwest Political Science Association, Chicago, April 15–17, 1999. (with Beth L. Leech)
- Trends in the Production of Legislation, 1949–1994. Paper presented at the annual meetings of the American Political Science Association, Washington, DC, August 28–31, 1997. (with Bryan D. Jones, Glen S. Krutz, and Michael C. Rosenstiehl)
- Lobbying with Governmental Allies. Paper presented at the annual meetings of the Midwest Political Science Association, Chicago, April 10–12, 1997. (with Beth L. Leech)
- New Issues and Old Committees: Jurisdictional Change in Congress, 1947–93. Paper presented at the annual meetings of the Midwest Political Science Association, Chicago, April 10–12, 1997. (with Bryan D. Jones and Michael C. Rosenstiehl)
- Normative Perspectives on Interest Groups and Lobbying. Paper presented at the annual meetings of the Southern Political Science Association, Atlanta, GA, November 6–8, 1996. (with Nicole Canzoneri)
- Problems in the Study of Lobbying. Paper presented at the annual meetings of the American Political Science Association, San Francisco, CA, August 29–September 1, 1996. (with Beth L. Leech)
- Shepsle Meets Schattschneider: Conflict Expansion in Congress. Paper presented at the annual meetings of the American Political Science Association, San Francisco, CA, August 29–September 1, 1996. (with Bryan D. Jones and Michael C. Rosenstiehl)
- Tractability and Triviality in Interest-Group Studies. Paper presented at the annual meetings of the Midwest Political Science Association, Chicago, April 18–20, 1996. (with Beth L. Leech)
- The Shape of Change: Incrementalism and Shifts in Federal Budgeting, 1946–1994. Paper presented at the annual meetings of the Midwest Political Science Association, Chicago, April 18–20, 1996. (with Bryan D. Jones and James L. True)
- Producing Legislation in Congress. Paper presented at the annual meetings of the American Political Science Association, Chicago, August 31–September 3, 1995. (with Bryan D. Jones, Jeffery C. Talbert, and Glen Krutz)
- Policy Agendas in the United States since 1945. Poster presented at the annual meetings of the Midwest Political Science Association, Chicago, April 6–8, 1995. (with Bryan D. Jones, Jeffery C. Talbert, Beth L. Leech, Michael C. Rosenstiehl, and James L. True)
- Committee Jurisdictions in Congress, 1980–1991. Paper presented at the annual meetings of the American Political Science Association, New York, NY, September 1–4, 1994. (with Bryan D. Jones, Michael C. Rosenstiehl, and Ronald Lorenzo)
- Public Interest Lobbies in France and the United States. Paper presented at the meetings of the International Political Science Association, Berlin, Germany, August 21–25, 1994.
- The Legislative Importance of Non-Legislative Hearings. Paper presented at the annual meetings of the Midwest Political Science Association, Chicago, April 14–16, 1994 (with Bryan D. Jones and Jeffery C. Talbert)
- Agendas and Instability in American Politics. Paper presented at the annual meetings of the American Political Science Association, Chicago, September 3–6, 1992. (with Bryan D. Jones)
- Congressional Committees and Jurisdictional Dynamics. Paper presented at the annual meetings

- of the Midwest Political Science Association, Chicago, April 8–11, 1992. (with Bryan D. Jones and Jeffery C. Talbert)
- The Dynamics of Bias. Paper presented at the annual meetings of the American Political Science Association, Washington, DC, August 29–September 1, 1991. (with Bryan D. Jones)
- Attention and Valence in Agenda-Setting. Paper presented at the annual meetings of the Southern Political Science Association, Atlanta, GA, November, 1990. (with Jeffery C. Talbert and Bryan D. Jones)
- Towards the Quantitative Study of Agenda-Setting. Paper presented at the annual meetings of the American Political Science Association, San Francisco, CA, August 30–September 2, 1990. (with Bryan D. Jones)
- Interest Groups and Agenda-Setting in America. Paper presented at the Conference on Organized Interests and Democracy, Vith Feltrinelli International Colloquium, Cortona, Italy, May, 1990. (with Bryan D. Jones)
- Keeping Nuclear Power Off the Political Agenda in France. Paper presented at the Workshop on the Comparative Political Economy of Science: Scientists and the State, sponsored by the UCLA Center for International Studies and Overseas Programs, Los Angeles, CA, January 12–14, 1990.
- Explaining Variation in Policy Styles in France. Paper presented at the annual meetings of the American Political Science Association, Atlanta, GA, September 1–3, 1989.
- Shifting Images and Venues of a Public Issue: Explaining the Demise of Nuclear Power in the United States. Paper presented at the annual meetings of the American Political Science Association, Atlanta, GA, September 1–3, 1989. (with Bryan D. Jones)
- Image and Agenda in Urban Politics. Paper presented at the Second annual Conference on Public Policy, Department of Public Administration and Policy, State University of New York at Albany, Albany, NY, April, 1989. (with Bryan D. Jones)
- Changing Image and Venue as a Political Strategy. Paper presented at the annual meetings of the Midwest Political Science Association, Chicago, April 14–15, 1989. (with Bryan D. Jones)
- Changing Images and Venues of Nuclear Power in the United States. Paper presented at the annual meetings of the Midwest Political Science Association, Chicago, April 14–15, 1989. (with Bryan D. Jones)
- Creating and Maintaining Consensus over Nuclear Power in France: A Preliminary Report. Paper presented at the annual meetings of the American Political Science Association, Washington, DC, September 1–4, 1988.
- Policy Communities in France: The Strategic Implications of Conflict and Consensus. Paper presented at the annual meetings of the American Political Science Association, Chicago, September 3–6, 1987.
- Survey Research and Membership in Voluntary Associations. Paper presented at the National Election Studies Conference on Groups and American Politics, Center for Advanced Study in the Behavioral Sciences, Stanford, CA, January 16–17, 1987. (with Jack L. Walker)
- Education Policy Making and the Interest Group Structure in France and the United States: A Commentary on Pluralism and Corporatism. Paper presented at the annual meetings of the American Political Science Association, Washington, DC, August 28–31, 1986. (with Jack L. Walker)
- A New Question on Group Affiliations in the 1986 NES Pilot Study. Report to the Board of

- Overseers of the National Election Study, May 20, 1986. (with Jack L. Walker)
- Politicians and Technicians in the Policy Process: Education Policy in France, 1983–1984. Paper presented at the annual meetings of the Midwest Political Science Association, Chicago, April 10–12, 1986.
- French Interest Groups and the Pluralism-Corporatism Debate. Paper presented at the annual meetings of the American Political Science Association, New Orleans, LA, August 29–September 1, 1985.
- Preemptive and Reactive Spending in U.S. House Races. Paper presented at the annual meetings of the Midwest Political Science Association, Chicago, April 20–23, 1983. (with Edie N. Goldenberg and Michael W. Traugott)
- Chair, discussant, or paper presenter at the following meetings, American Political Science Association, 1985–2019; Midwest Political Science Association, 1983, 1986–87, 1989–2019; European Consortium for Political Research, 2001, 2006, 2008, 2009, 2015; Southern Political Science Association, 1996–97, 2010, 2011; Council on European Studies, 2010, 2011, 2013; International Political Science Association, 1994; Western Political Science Association, 1988, 1999; Southwestern Social Science Association, 1990; Association for the Advancement of Artificial Intelligence, 2009; National Conference of Black Political Scientists, 2008, 2011, 2014, 2018; American Society of Criminology 2010, 2017; Comparative Agendas Project annual meetings 2006 (Aarhus), 2007 (Paris), 2008 (Barcelona), 2009 (The Hague), 2010 (Seattle), 2011 (Catania), 2012 (Reims), 2013 (Antwerp), 2014 (Konstanz), 2015 (Lisbon), 2016 (Geneva), 2017 (Edinburgh), 2018 (Amsterdam), 2019 (Budapest).

## EXTERNAL GRANTS AND AWARDS

### *Grants Submitted / Pending*

- Proposal for Study of Jury Pool Formation and Jury Selection. Submitted to the Governor's Task Force on Racial Equity in the Criminal Justice System, January 2021. (Frank R. Baumgartner, Marty Davidson, and Emily Coward)

### *Grants Funded / Awarded*

- National Science Foundation, Developing Policy-Specific Measures of Public Opinion, award number SES 1024291. \$157,989 for the period of July 1, 2010 to August 31, 2013. Jim Stimson, PI; Frank R. Baumgartner, Co-PI.
- National Science Foundation, Framing Policy Debates in the European Union, proposal 1102978. \$300,000 awarded for the period of August 15, 2011 to July 31, 2013. Christine Mahoney (University of Virginia), PI; Frank R. Baumgartner, Co-PI; Heike Kluever, consultant.
- Visiting International Scholar, Catalonia Ministry of Education and Research, funding for eight month visit to the University of Barcelona, December 2011–July 2012 (with Laura Chaqués Bonafont, University of Barcelona)
- Center for Advanced Study in the Behavioral Sciences (CASBS), Stanford University. Expenses for a dozen scholars from the social sciences, computer science, government, and industry to travel to Stanford and attend a one-week workshop: *Tracking, Transcribing, and Tagging Government: Building Digital Records for Computational Social Science*, June 21–25, 2010. Frank R. Baumgartner and James T. Hamilton (Duke University), PIs

- Agence nationale de la recherche (ANR) (France), Les médias, les partis et les agendas politiques de la 5<sup>e</sup> République. Emiliano Grossman, Frank Baumgartner, Sylvain Brouard, Manlio Cinalli, Abel François, Martial Foucault, Pierre Lascoumes, Nicolas Sauger. Project funded in October 2008.
- European Science Foundation (European Union), “The Politics of Attention: West European Politics in Times of Change.” Proposal with subprojects in Denmark, Netherlands, United Kingdom, Italy, Switzerland, Belgium, and Spain, with Christoffer Green-Pedersen and others. Submitted April 2007. Projects have been funded starting in 2008 for Denmark, Spain, United Kingdom, Switzerland, the Netherlands, and Belgium.
- National Science Foundation, “New Computer Science Applications in Automated Text Identification and Classification for the Social Sciences.” Grant # SES 0719703, \$55,722, September 1, 2007 to August 31, 2008. Principal investigator, with John McCarthy.
- Camargo Foundation Residential Fellowship for Spring 2007. This covers the period of January to May 2007. The Foundation maintains a residence for scholars in Cassis, France.
- National Science Foundation, “Nanotechnology and Science Federalism.” Grant # NER 0608986, \$85,000, August 1, 2006 to July 31, 2007. Co-PI. Paul Hallacher (Penn State) is PI. Additional Co-PI’s are Roger Geiger, Henry Foley, and Creso Sa.
- National Science Foundation dissertation award for Amber Boydston, “Doctoral Dissertation Research in Political Science: Agenda Setting and Issue Framing Dynamics on Front Page News.” Grant # SES 0617492, \$10,907, July 1, 2006 to June 30, 2007.
- Pennsylvania Policy Agendas Database. State of Pennsylvania appropriation to Temple University for \$480,000 over three years, 2005–08. Penn State subcontract for \$77,888 awarded March 2006. Additional funds of \$26,600 awarded September 2007; \$5,500 in 2008; \$22,500 in 2009. Joe McLaughlin, Temple University, principal investigator.
- National Science Foundation, “Collaborative Research: Database Development for the Study of Public Policy.” Grant # SBR 0111611, \$690,719, January 1, 2002 to December 31, 2007. Co-Principal Investigator, with Bryan D. Jones.
- Policy Agendas Project focus of NSF press release, January 2005; see [http://www.nsf.gov/discoveries/disc\\_summ.jsp?cntn\\_id=100599&org=NSF](http://www.nsf.gov/discoveries/disc_summ.jsp?cntn_id=100599&org=NSF).
- National Science Foundation, REU supplemental award for award 0111611, \$15,000, awarded October 12, 2005.
- National Science Foundation, “Lobbying and Issue-Definition.” Grant # SBR 0111224, \$235,930, July 1, 2001 to June 30, 2004. Principal Investigator. Co-Investigators are: Jeff Berry, Marie Hojnacki, Beth Leech, and David Kimball.
- Pew Charitable Trusts / University of Wisconsin, “Lobbying and Television Advocacy,” \$36,503, June 1 to December 31, 2002. With Marie Hojnacki and Ken Goldstein.
- National Science Foundation, “Collaborative Research on Lobbying.” Grant # SBR 9905195, \$80,569, August 1, 1999 to December 31, 2000. Principal Investigator. Co-Investigators are: Jeff Berry, Marie Hojnacki, Beth Leech, and David Kimball.
- Norwegian Science Foundation (Norges forskningsråd), “Agenda Setting and Public Policy” to support teaching a graduate seminar at the University of Bergen, in fall 1998. (69,300 Norwegian Krone, with Richard L. Matland.) Awarded December 1997.
- National Science Foundation dissertation award for Beth L. Leech, “Lobbying Strategies of American Interest Groups,” # SBR 9631232, \$8,476, July 15, 1996 to July 14, 1997
- National Science Foundation, “Policy Agendas in the United States since 1945.” Grant # SBR 9320922, \$245,000, March 15, 1994 to February 28, 1998. (with Bryan D. Jones)

National Science Foundation, Research Opportunities for Undergraduates, supplements to the Policy Agendas grant, \$12,500 per year, 1994, 1995. (with Bryan D. Jones)  
 French Government Travel Grant (\$1,000), 1988.

*Bourse Chateaubriand*, French Government Dissertation Grant, 1983–84.

### **Awards**

C. Herman Pritchett Best Book Award from the Law and Courts Section of the American Political Science Association, 2019 (for *Suspect Citizens*)

Lijphart / Przeworski / Verba Dataset Award, APSA Section on Comparative Politics, 2019 (for the Comparative Agendas Project)

Best reviewer award, *Journal of European Public Policy*, 2018

Member, American Academy of Arts & Sciences, inducted 2017

International Public Policy Association, 2017 award for the best book published in 2015 in English on the topic of public policy (for *The Politics of Information*).

Louis Brownlow Book Award, National Academy of Public Administration, 2016 (for *The Politics of Information*).

Samuel J. Eldersveld Career Achievement Award, APSA Section on Political Organizations and Parties, 2011.

Hometown Hero Award, News Talk 1360 WCHL Chapel Hill NC, concerning career achievement award listed above, July 2011.

Leon D. Epstein Outstanding Book Award, APSA Section on Political Organizations and Parties, 2010 (for *Lobbying and Policy Change*).

Article selected for inclusion in special issue reprinting the most outstanding articles for the 20<sup>th</sup> anniversary issue of *JPART*, 2010, for “A Model of Choice for Public Policy.”

Gladys M. Kammerer Award, American Political Science Association, for the best publication in the field of US national policy, 2008 (for *The Decline of the Death Penalty*).

Best Instructional Political Science Web Site, for [www.policyagendas.org](http://www.policyagendas.org), from the Information Technology and Politics Section of the American Political Science Association, 2007.

Mentoring Award from the Public Policy Section of the American Political Science Association, 2005. For mentoring younger members of the profession.

Winner, vote by the members of the Public Policy Section of the American Political Science Association for *Agendas and Instability in American Politics*; top vote-getter in an election where members of the section were asked to identify the top five policy-related books or articles written in the past ten years. See *Policy Currents* 11 (2), Summer 2001, p. 14.

Aaron Wildavsky Award from the Public Policy Section of the American Political Science Association, 2001, for *Agendas and Instability in American Politics*. The Wildavsky Award recognizes work of lasting impact on the field of public policy.

Phi Beta Kappa, The University of Michigan, 1980.

### **INTERNAL GRANTS, AWARDS, AND SCHOLARSHIPS**

Senior Faculty Research and Scholarly Leave, UNC-CH, 2020–21.

Faculty Fellowship, Institute of African American Research, UNC-CH, Fall 2015.

Charles Robson Award for Excellence in Graduate Instruction, UNC-CH, Department of Political Science, 2013.

Welch Alumni Relations Award, Pennsylvania State University, College of the Liberal Arts,

2008.  
 Best Graduate Student Advisor, Pennsylvania State University, Department of Political Science, Spring 2005. Based on a vote by current graduate students.  
 Faculty Scholar Medal in Social Sciences, Pennsylvania State University, 2005.  
 Distinction in the Social Sciences Award, Pennsylvania State University, College of the Liberal Arts, 2003.  
 “Legislative Lobbying,” \$5,000 grant from the Program in American Politics, Texas A&M University (with Beth L. Leech), 1998.  
 “Lobbying Congress,” \$7,500 grant from the Texas A&M Office of Associate Provost for Research, Program to Enhance Scholarly and Creative Activities (with Beth L. Leech), 1997.  
 “Interest Groups and Lobbying in American Politics,” \$3,000 grant from the Program in American Politics, Texas A&M University (with Beth L. Leech), 1996.  
 Jordan Faculty Fellow, Center for Presidential Studies, Texas A&M University, 1994, 1995.  
 “Policy Agendas in Congress Since 1945,” \$7,500 grant from the Texas A&M Office of Associate Provost for Research, Program to Enhance Scholarly and Creative Activities (with Bryan D. Jones), 1993.  
 International Curriculum Development Grant (\$1,100, with Richard Golsan), 1993.  
 Honors Program Curriculum Development Grant (\$6,000, with Bryan D. Jones, Nehemia Geva, and Alex Mintz), 1993.  
 Center for Presidential Studies Grant (\$1,000, with Bryan D. Jones), 1993.  
 Center for Energy and Mineral Resources Grant, Texas A&M University (\$12,500, with Bryan D. Jones) 1989.  
 College of Liberal Arts Summer Research Award (\$7,000), 1988.  
 International Enhancement Grant, Texas A&M University (\$1,200), 1988.  
 Center for Energy and Mineral Resources Grant, Texas A&M University (\$3,000) 1988.  
 Nominee, Gabriel Almond Prize for best dissertation in comparative politics, 1986.  
 Rackham Pre-Doctoral Fellowship, The University of Michigan, 1985–86.  
 Rackham Dissertation Grant, The University of Michigan, 1983–84.  
 Teaching Fellow, The University of Michigan, 1981–83.  
 Rackham First Year Fellowship, The University of Michigan, 1980–81.

#### **DOCTORAL STUDENTS ADVISED AND ACADEMIC / POLICY PLACEMENTS**

Kelly Tzoumis\*\* (Texas A&M, 1992; DePaul University, tenured)  
 Jeffery C. Talbert\*\* (Texas A&M, 1994; University of Kentucky School of Medicine, tenured)  
 Shalini Vallabhan\* (Texas A&M, 1995; VP for Government Relations, American Cancer Society Cancer Action Network)  
 Rachel Gibson\*\* (Texas A&M, 1995; University of Manchester, England, tenured)  
 Billy Ray Hall\*\* (Texas A&M, 1995; Baylor, now an attorney in private practice)  
 Beth L. Leech\* (Texas A&M, 1998; Rutgers, tenured)  
 Michael C. MacLeod\* (Texas A&M, 1998; Hewitt Associates)  
 James L. True\* (Texas A&M, 1998; Lamar, tenured, retired)  
 Doris McGonagle\* (Texas A&M, 1998; Blinn College, tenured)  
 Glen Krutz\*\*\* (Texas A&M, 1999; Oklahoma State University, Dean of Arts and Sciences)  
 Nicole Canzoneri\*\* (Texas A&M, 1999; Alexandria, VA schools)  
 Xingsheng Liu\*\* (Texas A&M, 1999; Texas A&M)

Valery Hunt\*\*\* (University of Washington, 2002)  
Jens Feeley\*\*\* (University of Washington, 2002; NASA)  
Matthieu Dalle\*\* (Penn State, French, 2002; University of Louisville)  
Suzanne Robbins\*\* (SUNY, Stony Brook, 2003; George Mason University)  
Chad Lavin\*\* (Penn State, 2003; SUNY Buffalo (English), tenured)  
Andrew Martin\*\* (Penn State, Sociology, 2004; Ohio State University, tenured)  
Maria Inclan\*\* (Penn State, 2005; CIDE, Mexico City, tenured)  
Christine Mahoney\*\*\* (Penn State, 2006; University of Virginia, tenured)  
Amber Boydston\* (Penn State, 2008; University of California, Davis, tenured)  
Tim LaPira\*\* (Rutgers University, 2008; James Madison University, tenured)  
Manuele Citi\*\* (European University Institute, Florence, 2009; Copenhagen Business School)  
Sam Workman\*\* (University of Washington, Seattle, 2009; University of Oklahoma, tenured)  
Caelesta Poppelaars\*\* (Leiden University, Netherlands, 2009; Leiden)  
Erika Martin\*\* (Yale, 2009; SUNY Albany, Public Health)  
Paul Rutledge\*\* (West Virginia University, 2009; University of West Georgia, tenured)  
Julianna Sandel Pacheco\*\* (Penn State 2010; University of Iowa, tenured)  
Stéphanie Yates\*\* (Université de Laval, Quebec City, Canada, 2010; University of Ottawa)  
Joost Berkhout\*\* (Leiden University, Netherlands, 2010; University of Amsterdam)  
Chris Faricy \*\* (UNC 2010; Syracuse University, tenured)  
Shaun Bevan\* (Penn State, 2011; University of Edinburgh, tenured)  
Jiso Yoon\* (Penn State, 2011; University of Kansas, tenured)  
Isabelle Guinaudeau\*\* (Sciences Po Bordeaux, 2011; CNRS / Sciences Po Bordeaux)  
Cecilia Cannon\*\* (Graduate Institute of International and Development Studies, Geneva, 2012)  
Jon Moody\* (Penn State 2013; Pew Charitable Trusts)  
Mary Layton Atkinson\* (UNC 2013; UNC-Charlotte, tenured)  
C. Elizabeth Coggins\*\* (UNC 2013; Colorado College, tenured)  
Roy Gava\*\* (PhD 2014, University of Geneva; University of St. Gallen)  
Petya Alexandrova\*\* (PhD 2014, Leiden University; EU Asylum Support Office, Malta)  
Tinette Schnatterer\*\* (PhD 2014, Sciences Po Bordeaux; CNRS Sciences Po Bordeaux)  
Trey Thomas\*\* (PhD 2015, University of Texas at Austin; University of West Virginia)  
Tyler Hughes\*\* (PhD 2015, University of Oklahoma; Cal State Northridge)  
Derek Epp\* (PhD 2015, UNC; University of Texas at Austin)  
Nick Howard\*\* (PhD 2015, UNC; Auburn University at Montgomery)  
Greg Wolf\*\* (PhD 2015, UNC; Drake University)  
Stephen Weir \*\* (PhD 2015, Trinity University, Dublin)  
John Lovett\* (PhD 2016, UNC; Wake Forest)  
Ehud Segal\*\* (PhD 2017, Hebrew University, Israel; Haifa University, post-doc)  
Carmen Huerta\* (PhD 2017, UNC Sociology; UNC Office of Student Affairs)  
John Wachen\*\* (PhD 2018, UNC Education Policy; Chicago Ill. education consultant)  
Zoila Ponce de Leon\*\* (PhD 2018, UNC; Washington and Lee)  
Annelise Russell\*\* (PhD 2018, University of Texas; University of Kentucky)  
Andrew Tyner\*\* (PhD 2018, UNC; Center for Open Science)  
Emily Carty\*\* (PhD 2018 UNC; University of Salamanca, Spain)  
Kelsey Shoub\* (PhD 2018, UNC; University of South Carolina)  
Milad Minooie\*\* (PhD 2018, UNC Mass Communications)  
Mike Fliss\*\* (PhD 2019 UNC Epidemiology; post-doc, UNC-Chapel Hill Public Health)



Amy Sentementes\*\* (PhD 2019 UNC; Penn State)  
 Serge Severenchuk\*\* (PhD 2019 UNC; post-doc, Dartmouth)  
 Leah Christiani\* (PhD 2020 UNC; University of Tennessee)  
 Emily Wager\* (PhD 2020 UNC; Washington DC polling firm)  
 Marc Faulkner\*\* (PhD 2020, Université de Montréal; Quebec provincial government)  
 Thomas Kristensen\*\* (PhD 2020, Aarhus University, Denmark; City of Aarhus)  
 Stefany Ramos\* (PhD 2021, UNC Public Policy; RTI International)  
 Austin Bussing\*\* (PhD 2021, UNC; Sam Houston State University)  
 Beatriz Rey\*\* (PhD 2021, Syracuse University; post-doc, Johns Hopkins and APSA  
 Congressional Fellow)  
 Kevin Roach\* (PhD 2021, UNC)  
 Christian Caron\* (PhD expected 2022, UNC, current student)  
 Bettina Stauffer\*\* (University of Bern, Switzerland, current student)  
 Kaneesha Johnson\*\* (Harvard, current student)  
 Arvind Krishnamurthy\*\* (Duke, current student)  
 Marty Davidson\*\* (Michigan, current student)  
 Philip Warncke\*\* (UNC, current student)  
 Jonathan Schlosser\*\* (UNC, School of Journalism, current student)  
 Colin Case\*\* (UNC, current student)  
 Alex Love\*\* (UNC, current student)

\* indicates committee chair or co-chair

\*\* indicates committee member

\*\*\* indicates another student from the Policy Agendas Project or the Advocacy and Public Policy Project with whom I have worked closely

### **SENIOR HONORS THESES ADVISED AT UNC**

Jasmine Orsini, in progress for 2022  
 Alessandra Quattrochi, in progress for 2022  
 Rebecca Weisberger, in progress for 2022  
 Lucas Cain, in progress for 2022  
 Emily Payne, Race, Age, Gender, Attorney Type, and Income on Violent and Non-Violent Felonies in North Carolina, 2021  
 Tate Rosenblatt, Sentenced to Die? A Comparison of Factors Leading to Death Sentences and Executions, 2021  
 Sally Stanley, on the effect of District Attorneys on capital punishment, 2020  
 Sydney Johnson, on the cost implications of LWOP prison sentences, 2020  
 Sarah McAdon, on the outcomes of traffic tickets in North Carolina, 2019  
 Olivia O'Malley, on the legal treatment of sex trafficking crimes in North Carolina, 2019  
 Luke Beyer, on the outcomes of high-level felonies in North Carolina, 2019  
 Libby Doyle, on the geographical distribution of racial inequities in North Carolina, 2019  
 Betsy Neill, on mental illness and the death penalty, 2017\*  
 Wallace Gram, on the geographic distribution of executions in the US, 2015  
 Anna W. Dietrich, on the conditional probability of execution given a death sentence, 2014\*  
 BJ Dworak, comparing traditional news media with social media, 2013\*  
 Alex Loyal, on trends in state legislation concerning the death penalty, 2013

Lindsey Stephens, on the impact of the creation of a statewide Indigent Defense Services office on the use of capital punishment in North Carolina, 2012

Max Rose, on changing media frames associated with poverty, 2012

Alissa Ellis, on North Carolina's use of the death penalty with inmates suffering from mental illness, 2011

(\* = Winner of the departmental award for the best senior thesis that year)

## COAUTHOR RELATIONSHIPS

- **Faculty mentors:** Jack L. Walker, Jr., Edie N. Goldenberg, Michael W. Traugott, Joel D. Aberbach, John Creighton Campbell
- **Graduate student colleagues:** Mark A. Baskin, Nina P. Halpern
- **Faculty colleagues:** Bryan D. Jones, James A. Stimson, Jeffrey M. Berry, Marie Hojnacki, David C. Kimball, Suzanna De Boef / Linn, Frank E. Dardis, Fuyuan Shen, Martial Foucault, Abel François, John Wilkerson, Virginia Gray, David Lowery, Arco Timmermans, Sylvain Brouard, Gerard Breeman, Laura Chaqués Bonafont, Christopher Green-Pedersen, Will Jennings, Peter John, Grant Jordan, John McCarthy, Emiliano Grossman, Arndt Wonka, Péter Érdi, László Zalányi, Isaac Unah, Seth Kotch, Ben Noble, Marcello Carammia, Darren Halpin, Beate Kohler-Koch, Jeremy Richardson, Kay Lehman Schlozman, D'Andra Orey, Stuart Soroka, Santiago Olivella, Lee Drutman, Janet M. Box-Steffensmeier, David Wilsford, Sandra D. Westervelt, Kimberly J. Cook, Peter B. Mortensen, Michiel Neytemans, Stefaan Walgrave, Frédéric Varone, Christopher Wlezien, Rens Vliegthart, Anna M. Palau, Pascal Sciarini, Anke Tresch, Paul Delamater, Steve Marshall, Charles Poole, Whitney Robinson, Glenn L. Pierce, Ted Enamorado, Scott Duxbury
- **Graduate students:** Jeffery C. Talbert, Beth L. Leech, Michael C. Rosenstiehl / MacLeod, James L. True, Glen S. Krutz, Nicole Canzoneri, Timothy M. La Pira, Herschel F. Thomas III, Christine Mahoney, Amber E. Boydston, Heather A. Larsen-Price, Shaun Bevan, Christian Breunig, Jamie Greenan, Michelle Wolfe, Joost Berkhout, Kathleen Marchetti, Mary Layton Atkinson, K. Elizabeth Coggins, Sebastien G. Lazardoux, Jon Moody, Bryce Summary, Derek A. Epp, John Lovett, Amanda Grigg, Rachelle Ramirez, J. Sawyer Lucy, Beatriz Rey, Petra Bishtawi, Tefvik Murat Yildirim, Heike Klüver, Kelsey Shoub, Leah Christiani, Kevin Roach, Benjamin W. Campbell, Jamie Gold, Andrew W. Martin, Chris Koski, Paul Rutledge, Edward T. Walker, Adriana Bunea, Bayard Love, Petya Alexandrova, Mike Fliss, Alexander Love, Colin Case, Ehud Segal, Oliver Huwyler, Sam Workman, Alex Love, Christian Caron, Anthony Lindsey
- **Undergraduate students:** Ronald Lorenzo, Nicholas A. Semanko, Bryan J. Dworak, Woody Gram, Kaneesha R. Johnson, Arvind Krishnamurthy, Colin P. Wilson, Max Rose, Anna W. Dietrich, Emily Williams, Betsy Neill, Sarah McAdon, Marty Davidson, Julio Zaconet, Emma Johnson, Clarke Whitehead, Alisa Mastro, Kate Bell, Luke Beyer, Tara Boldrin, Libby Doyle, Lindsey Govan, Jack Halpert, Jackson Hicks, Katherine Kyriakoudes, Cat Lee, Mackenzie Leger, Sarah McAdon, Sarah Michalak, Caroline Murphy, Eyan Neal, Olivia O'Malley, Emily Payne, Audrey Sapirstein, Sally Stanley, Kathryn Thacker, Alex Bennett, Tamira Daniely, Kalley Huang, Sydney Johnson, Patrice McGloin, Allison Swagert, Niharika Vattikonda, Kamryn Washington, Will Spillman
- **Non-academics:** Kenneth J. Rose, Jennifer E. Thompson, Tim Lyman, Lyle May

**INVITED ACADEMIC TALKS AND CONFERENCES**

Manchester University (UK), November 10, 2021\*

John Jay College, Center on Media, Crime, and Justice, November 3, 2021\*

UNC-Charlotte, November 2, 2021\*

UNC Chapel Hill, 27<sup>th</sup> Annual MURAP Academic Conference, July 23, 2021\*

Kings College (London), Ken Young Annual Lecture in Public Policy, May 18, 2021\*

University of Georgia, George S. Parthemos Lectures, April 5–7, 2021\*

MIT Media Lab, Poetic Justice Group, March 30, 2021\*

Georgetown Law / Howard University / The Lab@DC workshop on Reimagining Police Stops, October 16, 2020\*

Dartmouth University, October 7, 2020\*

University of Michigan, ICPSR Summer Program, Blalock Lecture, July 9, 2020\*

Arizona State University, Pi Sigma Alpha lecture, February 22, 2020

Notre Dame University, November 8, 2019

University of Tennessee, book workshop, September 20, 2019

University of Texas at Austin, September 13, 2019

International Conference on Public Policy, Montreal, Keynote Speaker, June 27, 2019

University of Stuttgart (Germany), June 3, 2019

University of Konstanz (Germany), May 27, 2019

University of St Gallen (Switzerland), May 21, 2019

UNC-Chapel Hill, Odum Institute 95<sup>th</sup> Anniversary Speakers Series, April 22, 2019

UNC-Greensboro, February 7, 2019

Reed College, book workshop, December 12, 2018

Johns Hopkins University, conference on policing and race, May 17–18, 2018

Wayne State University School of Law, conference on congressional oversight, March 23, 2018

New America Foundation, conference on congressional capacity, Washington DC, March 1–2, 2018

University of Michigan, January 19, 2018

Harvard University, November 6, 2017

Wake Forest University School of Law, November 3, 2017

University of Arizona, October 26, 2017

Hungarian Academy of Sciences, Budapest, September 27, 2017

Leiden University, The Hague Campus, Netherlands, September 21, 2017

Aarhus University, Denmark, September 19, 2017

University of Antwerp, Belgium, September 14, 2017

ESADE Business School, Madrid, Spain, January 12, 2017

National Academy of Public Administration, Washington DC, November 17, 2016

NC State University, Raleigh, graduate seminar on public policy, October 10, 2016

Columbia University, “Politics at Work” book workshop, August 15, 2016

University of Edinburgh, Scotland, May 19, May 26, June 16, 2016

Centro de Investigación y Docencia Económicas (CIDE), Mexico City, May 4, 2016

Distinguished Lecturer in the Social, Behavioral, and Economic Sciences, National Science Foundation, October 14, 2015

UNC-Chapel Hill School of Journalism, September 11, 2015

UNC-Chapel Hill Institute of African-American Research, September 9, 2015

University of Glasgow, Scotland, June 12, 2015

Duke University, Ralph Bunche Summer Institute, June 4, 2015  
University of Michigan, May 8, 2015  
University of Texas, May 6, 2015  
University of Oklahoma, April 30, 2015  
University of Houston, February 6, 2015  
Princeton University, November 10, 2014  
University of Minnesota, November 6, 2014  
Center for the Study of the American South, UNC-CH, October 28, 2014  
University of California, Irvine, January 30, 2014  
University of Geneva, January 27, 2014  
University of Michigan, September 13, 2013  
University of Malta, May 21, 2013  
University of Pennsylvania, March 21, 2013  
SUNY at Buffalo, March 8-9, 2013  
University of South Carolina, March 1, 2013  
University Institute of Lisbon, Portugal, February 6, 2013  
University of Maryland, November 30, 2012  
Appalachian State University, November 6, 2012  
University of Geneva, September 5, 2012  
UNC-Chapel Hill Conference on Policy Change in Complex Urban Systems, Keynote, March 31, 2012  
Georgetown University, March 26, 2012  
Oxford University, All Souls College, March 8, 2012  
Aarhus University, Denmark, January 26, 2012  
Sciences Po Bordeaux, December 1, 2011  
UNC-Charlotte, November 10, 2011  
Santa Fe Institute, August 2011  
University of Florida, July 14, 2011  
SUNY Albany, April 24, 2011  
University of Michigan, 100<sup>th</sup> anniversary of the political science department, April 7, 2011  
UCLA, February 27, 2011  
Washington State University, February 25, 2011  
Suffolk University School of Law, Symposium on Peter Hall, February 11, 2011  
Trinity College, Dublin, December 13, 2010  
Johns Hopkins University, November 4, 2010  
National Press Club, Washington DC, debate on *Lobbying and Policy Change*, September 16, 2010  
Hewlett Foundation, San Francisco, symposium on public advocacy, July 2, 2010  
Stanford University, CASBS workshop on digital government records, June 21–25, 2010  
Sciences Po, Paris, May 19, 2010  
University of Milan, Italy, May 12, 2010  
Institut National de l'Audiovisuel, Paris France, May 3, 2010  
University of Laval, Quebec, April 16, 2010  
Northwestern University conference on "Text as Data," March 11–12, 2010  
Kalamazoo College workshop on complexity in the social sciences, March 5, 2010  
University of North Carolina, Charlotte, February 18, 2010

University of Heidelberg, conference on “Politics in Times of Crisis,” December 3–4, 2009  
Witness to Innocence (Death penalty advocacy group), Philadelphia, PA, October 23–24, 2009  
University of North Carolina, Department of Public Policy, October 2, 2009  
University of Leiden, Den Haag campus, June 16, 2009  
University of Mannheim, Germany, MZES, June 8, 2009  
University of Lausanne, Switzerland, May 18, 2009  
University of Geneva, Switzerland, May 18, 2009  
University of Manchester, England, May 15, 2009  
University of Leiden, Netherlands, May 8, 2009  
Northwestern University, NICO (complexity series), April 1, 2009  
University of Michigan, RWJ Health Policy Scholars Program, March 3, 2009  
University of Southern California, February 18, 2009  
National Coalition to Abolish the Death Penalty, Harrisburg PA, January 23–24, 2009  
Sciences Po, Paris, Roundtable on US Elections, January 19, 2009  
Sciences Po, Paris, Social Movement Effects on Public Policy, January 5, 2009  
Hebrew University of Jerusalem and IDC, Herzliya, Israel, December 14–21, 2008  
SPIRIT / Sciences Po, Bordeaux, France, November 28, 2008  
University of Nebraska, Lincoln, November 7, 2008  
University of Antwerp, October 29, 2008  
Wageningen University, NL, keynote speaker, Agriculture in Transition, October 28, 2008  
University of Antwerp, workshop on US-EU lobbying, October 23–24, 2008  
University of Washington, Seattle, American Politics series, October 10, 2008  
Cevipof / Sciences Po, Paris, France, Groupe Argent et Politique, June 23, 2008  
SPIRIT / Sciences Po, Bordeaux, France, June 9, 2008  
Cevipof / Sciences Po, Paris, France, “Pôle Action Publique” series, May 14, 2008  
Syracuse University workshop on US-EU lobbying studies, April 24–25, 2008  
Yale University, April 15, 2008  
Wayne State University, Detroit, March 20, 2008  
CONNEX workshop on lobbying, University of Mannheim, Germany, March 6–8, 2008  
University of North Carolina, February 15, 2008  
University of Washington, Seattle, November 2, 2007  
Harvard University, Graduate School of Education, Askwith Education Forum, October 4, 2007  
University of Antwerp, September 20–21, 2007  
University of Aberdeen, July 1, 2007  
University of Barcelona, June 14, 2007  
University of Aarhus, Denmark, June 8, 2007  
Netherlands Institute of Government, The Hague, keynote speech, May 23, 2007  
University of Geneva, May 7, 2007  
Oxford University, March 6, 2007  
World Congress Against the Death Penalty, Paris France, February 1–3, 2007  
University of Newcastle, January 25–26, 2007  
Université de Montréal, November 18, 2006  
Public Policy Institute of California, San Francisco, October 27, 2006  
University of Newcastle, England, May 3–4, 2006  
UCLA Law School, Conference on Capital Punishment, April 8, 2006  
University of Manchester, England, March 17, 2006

Mount St. Mary's University, Maryland, February 23, 2006  
University of Wisconsin, Madison, February 10, 2006  
Indiana University, January 27, 2006  
University College, London, England, School of Public Policy, Distinguished Visiting Speaker,  
January 16–20, 2006  
National Coalition to Abolish the Death Penalty, Austin Texas, October 28, 2005  
Yale University, Aspen Conference on Climate Change, October 6–8, 2005  
University of Aarhus, Denmark, Workshop on Comparative Agenda-Setting, July 1–2, 2005  
University of Aberdeen, Scotland, June 15, 2005  
University of Manchester, England, June 14, 2005  
Centre de Sociologie des Organisations (CSO–CNRS), Paris, France, June 10, 2005  
University of Leiden, Netherlands, Workshop on Reform Miracles, May 27–28, 2005  
University of Exeter, England, May 18, 2005  
Cevipof / Sciences Po, Paris, France, “Pôle Action Publique” series, May 11, 2005  
University of Leiden, Netherlands, Workshop on Interest Groups in the EU, April 14–16, 2005  
University of Utrecht, School of Governance, Netherlands, March 17, 2005  
University of Antwerp, Belgium, March 15, 2005  
University of Mannheim, Germany, Center for European Social Research, January 24, 2005  
University of Aarhus, Denmark, January 21, 2005  
University of Trento, Italy, January 19, 2005  
European University Institute, Florence, Italy, November 22, 2004  
University of Aberdeen, Scotland, November 19, 2004  
University of Leiden, Netherlands, June 10–12, 2004  
University of Aberdeen, Scotland, May 24–June 4, 2004  
University of North Carolina, American Politics Research Group, April 2, 2004  
University of Pennsylvania, Wharton School, Conference on Management Strategy and the  
Business Environment, March 26–27, 2004  
Harvard University, Conference on The Transformation of American Politics: Policies,  
Institutions, and Participation, March 5–6, 2004  
University of Kentucky, Martin School of Public Policy, January 23, 2004  
University of Aberdeen, Scotland, December 15–19, 2003  
Rutgers University, November 21, 2003  
University of Arizona, Conference on Research Policy as an Agent of Change, October 10–11,  
2003  
Pennsylvania State University, College of Communications, September 26, 2003  
University of British Columbia, Vancouver, Canada, August 18–19, 2003  
NAACP Legal Defense and Educational Fund, Inc., 24<sup>th</sup> Annual Capital Punishment Training  
Conference, Airlie Conference Center, Warrenton, VA, July 17–20, 2003  
Yale University, School of Forestry, Conference on Punctuated Equilibrium Models of  
Environmental Policymaking, June 30, 2003  
The Justice Project, Washington DC, May 15, 2003  
University of Michigan, Robert Wood Johnson Health Policy Fellows Program, April 10, 2003  
Pennsylvania State University, Hazelton Campus, November 7, 2002  
University of Michigan, Conference on Social Movements and Organizations, May 10–11, 2002  
West Virginia University, April 19, 2002  
Nuffield College, Oxford University, England, Conference on Budgetary Policy Change:

Measures and Models, March 8–9, 2002  
 University of California, Irvine, Conference on Social Movements, Public Policy, and  
 Democracy, January 11–13, 2002  
 University of Chicago, May 21, 2001  
 University of Kentucky, April 13, 2001  
 Temple University, March 14, 2001  
 Columbia University, January 26, 2001  
 Harvard University, November 3, 2000  
 Princeton University, Conference on Political Participation: Building a Research Agenda,  
 October 13–14, 2000  
 University of Aberdeen, Scotland, May 15–19, 2000  
 University of Pittsburgh and Carnegie Mellon University, April 10, 2000  
 Pennsylvania State University, Department of French, February 28, 2000  
 Western Michigan University, Sam Clark Lecturer, March 15–16, 1999  
 University of California, Santa Barbara, February 12, 1999  
 University of Aberdeen, Scotland, October 1998  
 University of Bergen, Norway, October 1998  
 University of Texas School of Public Health, October 2, 1997  
 Harvard University Conference on Civic Engagement, September 26–28, 1997  
 University of Michigan, 5th Annual Jack L. Walker Memorial Conference of Political Affairs:  
 The Politics (or Un-Politics) of the Underclass and Unemployed, March 20, 1992  
 UCLA Workshop on Comparative Political Economy of Science, January 1990  
 Feltrinelli Foundation Conference on Organized Interests and Democracy, Cortona, Italy, 1990

### **LEGAL EDUCATION TRAININGS PRESENTED**

National Law Enforcement Liaison Program, panel discussion on traffic safety enforcement,  
 sponsored by the National Highway Traffic Safety Administration and the Governors  
 Highway Safety Association, August 12, 2021\*  
 Guilford County, NC Judicial Conference (Judges, DA's, Court Administrators, Public  
 Defenders), October 30, 2020\*  
 North Carolina Conference of District Court Judges, October 7, 2020\*  
 North Carolina Conference of Superior Court Judges, August 14, 2020\*  
 Fair and Just Prosecution, DA workshop on capital punishment, Durham NC, December 6, 2019  
 National Police Accountability Project, Durham NC, October 17, 2019  
 NC NAACP, Raleigh NC, December 7, 2018  
 American Bar Association, Chicago, IL, August 3, 2018  
 NC Committee on Racial and Ethnic Disparities in the Criminal Justice System (NC-CRED),  
 Wake Forest University School of Law, November 3, 2017  
 NC Association of District Court Judges, Asheville NC, October 5, 2016  
 UNC School of Government, training for judges, April 6, 2016  
 UNC School of Government, Racial Equity Network (public defenders), July 24, 2015  
 North Carolina Public Defenders and Investigators, Greensboro NC, May 15, 2015

### **COMMUNITY PRESENTATIONS ON CRIMINAL JUSTICE**

Panelist, Scholars and Local Policymakers: An Essential Collaboration for Change. Scholars  
 Strategy Network, Chapel Hill NC, November 16, 2021\*

Panelist, Race and the Death Penalty virtual seminar, Quaker Southeast Yearly Meeting, Tampa FL, September 10, 2021\*

Hillsborough NC, City Council, Mayor, Police Chief, March 11, 2021\*

Arlington County VA, Policing Oversight Group, November 16, 2020\*

UNC / Chapel Hill Community Dialogue on Race, November 10, 2020\*

Suffolk County, NY, Policing Oversight Group, November 3, 2020\*

Chapel Hill Rotary Club, October 30, 2020\*

UNC Honors Carolina, Structures of Inequality speakers series, September 23, 2020\*

UNC Highway Safety Research Center, September 2, 2020\*

Lexis-Nexis, Raleigh NC, July 16, 2020\*

City of Berkeley (CA) Fair and Impartial Policing Working Group, July 1, 2020\*

NC-CRED, Policing and Racial Justice seminar, June 29, 2020\*

UNC General Alumni Association, roundtable on racial justice June 18, 2020\*

Greensboro Bound (Greensboro NC), panel discussion on the death penalty, June 11, 2020\*

North Carolina Commission on Racial and Ethnic Disparities in the Criminal Justice System (NC-CRED), Raleigh, NC, August 24, 2018

Chapel Hill, NC, Public Library, August 13, 2018

UNC-Chapel Hill THINKposium, August 17, 2016

\*Presentation made by remote video technology

## **PROFESSIONAL SERVICE AND MEMBERSHIP**

### ***University / College / Department service at UNC-Chapel Hill:***

#### University

Faculty Co-Chair, Campus Safety Commission, 2019–21

Faculty Council (elected position), 2012–19

Carolina Summer Reading Program Selection Committee, 2013–14; Chair, 2014–15

Member, review team, Institute for African American Research, Spring 2016

Faculty Affiliate, Institute of African American Research, 2014–

Office of Undergraduate Research, Summer Undergraduate Research Fellowship (SURF) selection committee, 2018

#### College of Arts and Science

Chair, Search Committee for Distinguished Professor and Director of the Center for the Study of the American South (CSAS), 2021–22

Member, Advisory Board, Center for the Study of the American South (CSAS), 2016–

Member, Advisory Committee, Department of Public Policy, 2019–2022

Adjunct Professor of Public Policy, 2019–

Member, Dean’s Faculty Diversity Advisory Group, 2016–2021

Chair, Student Learning Outcomes for General Education Courses Committee, 2017–18

Co-Chair, Diversity Task Force, 2015–16

Member, Interdisciplinary Grants Awards Committee, 2013

Member, Dean’s Task Force on Faculty Diversity, 2010–11

#### Department of Political Science

Director of PhD Placement, 2014–17, 2018–; interim Placement Director, Fall 2012

Member, post-tenure review committees, 2010–13, 2014–17; Chair 2012–13, 2019–20

Member, Committee on Faculty Mentoring (2016–18)



Diversity Liaison, 2011–17  
 Chair, Diversity Affairs and Recruitment, 2010–17 (Member, 2009–10)  
 Chair, American Politics Talent Search Committee, 2015–16  
 Chair, Dawson Chair Search Committee, 2016–17  
 Member, Strategic Planning (SWOT) Committee, 2016–17  
 Director of Graduate Admissions, 2013–14  
 Member, Salary Review Committee, 2011–12, 2014–15  
 Member or chair, ad hoc faculty recruitment committees, 2009–15, 2016–17, 2021–22  
 Member, internal evaluation (promotion) committees, 2013–14, 2016–17  
 Member, best MA thesis committee, 2013, 2020; best graduate student publication award committee, 2015

### **Editorial boards**

*Policy Studies Journal*, 2003 –  
*Journal of European Public Policy*, 2004 –  
*Public Administration*, 2008 –  
*Journal of Public Policy*, 2010 –  
*Gouvernement et Action Publique*, 2010 –  
*Interest Groups and Advocacy*, 2011–  
*Governance*, 2012 –  
*French Politics, Society, and Culture*, 2013 –  
*West European Politics*, 2015–  
*Politics, Groups, and Identities*, 2017–  
*Interdisciplinary Political Studies*, 2017–  
*International Review of Public Policy*, 2018–  
*Korean Journal of Policy Studies*, 2021–  
*Political Research Quarterly*, 2006–14  
*American Journal of Political Science*, 2006–09  
*Journal of Information Technology and Politics*, 2006–10  
*Journal of Politics*, 1993–2001

Series editor, Palgrave Macmillan series on Comparative Studies of Political Agendas, with Laura Chaqués Bonafont, Christoffer Green Pedersen, Frédéric Varone, and Arco Timmermans. Publications began in 2012, as listed below:

- Peter Bjerre Mortensen, Matt W. Loftis, and Henrik Bech Seeberg, 2022. *Explaining Local Policy Agendas: Institutions, Problems, Elections and Actors*.
- Miklós Sebök and Zsolt Boda, eds. 2021. *Policy Agendas in Autocracy, and Hybrid Regimes: The Case of Hungary*.
- Alper T. Bulut and Tevfik Murat Yildirim. 2020. *Political Stability, Democracy and Agenda Dynamics in Turkey*
- Eva-Maria Euchner. 2019. *Morality Politics in a Secular Age: Strategic Parties and Divided Governments in Europe*.
- Laura Chaqués Bonafont, Anna M. Palau, and Frank R. Baumgartner. 2015. *Agenda Dynamics in Spain*.
- Peter John, Anthony Bertelli, Will Jennings, and Shaun Bevan. 2013. *Policy Agendas in British Politics*.
- Isabelle Engeli, Christoffer Green-Pedersen and Lars Thorup Larsen, eds. 2012. *Morality*

*Politics in Western Europe: Parties, Agendas and Policy Choices.*

Book review board, *French Politics, Society, and Culture* (formerly *French Politics and Society*), 1997 – 2012

Tenure and promotion reviews for the following colleges and universities: Aberdeen (Scotland), Alabama-Birmingham, Arizona, Arizona State, Australian National, Barcelona (Spain), Brandeis, British Columbia (Canada), California at Berkeley, California at Los Angeles, California at Riverside, California at San Diego, Chicago, Colorado at Denver, Colorado at Boulder, Columbia, Cornell, Dartmouth, Denver, Duke, East Carolina, Edinbourg (Scotland), Georgia, Georgia State, Georgetown, Harvard, Hebrew University of Jerusalem (Israel), Johns Hopkins, Indiana, Iowa State, Kansas, Kentucky, Lamar, London School of Economics (UK), Malta (Malta), Marquette, Maryland, Massachusetts, Memphis, Miami, Michigan, Michigan State, Minnesota, Missouri, Montana State, New School for Social Research, Ohio, Ohio State, Oklahoma, Pennsylvania, Potsdam (Germany), Pittsburgh, Princeton, Purdue, Reed, Roosevelt, Rutgers, SciencesPo Paris (France), Southampton (UK), SUNY-Albany, SUNY-Buffalo, St. John Fisher College, Syracuse, Tel Aviv (Israel), Temple, Texas at Austin, Texas at Dallas, Villanova, Virginia, Washington, Wellesley, West Virginia, Wisconsin, Yale

Manuscript reviewer, proposal reviewer, or consultant for:

Journals: *American Political Science Review; Perspectives on Politics; PS; American Journal of Political Science; Journal of Politics; Polity; Political Research Quarterly; American Politics Quarterly; Journal of Theoretical Politics; Public Choice; Social Science Quarterly; Social Forces; Social Problems; Legislative Studies Quarterly; Journal of Legislative Studies; Congress and the Presidency; Interest Groups and Advocacy; Presidential Studies Quarterly; Political Behavior; Party Politics; Journal of Information Technology and Politics; Journal of Health Politics, Policy and Law; State Politics and Policy Quarterly; State and Local Government Review; Local Government Studies; Electoral Studies; Political Communication; World Politics; Comparative Politics; Comparative Political Studies; European Union Politics; Comparative European Politics; Journal of Common Market Studies; Canadian Journal of Political Science; Scandinavian Political Studies; Public Administration Review; Policy and Politics; Public Administration; Administration and Society; Governance; Politics and Governance; Regulation and Governance; Journal of Public Administration Research and Theory; Urban Affairs Review; Government and Policy; Economics and Politics; Journal of Policy History; Human Welfare; Journal of Public Policy; Journal of European Public Policy; West European Politics; Journal of European Politics; Acta Politica; Policy Studies Journal; Journal of Comparative Policy Analysis; Policy Studies Review; Review of Policy Research; Political Science Research and Methods; Harvard International Journal of Press/Politics; Southeastern Political Review; Politics and Policy; Australian Journal of Political Science; Research and Politics; Applied Behavioral Science Review; International Review of Administrative Sciences; Wetlands; Environmental Politics; Global Environmental Politics; Journal of Environmental Policy and Planning; International Planning Studies; Socio-Economic Planning Sciences; Journal of Contingencies and Crisis Management; Women and Politics; Milbank Quarterly; Journal of International Business Studies; Business and Politics; International Migration Review; Education Evaluation and Policy Analysis;*

*Computational and Mathematical Organization Theory; Politics; The Social Science Journal; Social Science Research; Cambridge Review of International Affairs; Review of International Political Economy; Journal of Criminal Law and Criminology; Criminology; American Journal of Criminal Justice; International Journal of Applied Criminal Justice; Journal of Experimental Criminology; International Journal of Police Science and Management; Police Quarterly; Journal of Global Governance; KOME; Big Data and Society; Gouvernement et Action Publique; American Sociological Review; Science; Science Advances; Sociological Imagination; Journal of the Center for Policy Analysis and Research; Social Work in Public Health; Stanford Law Review*

University Presses: Princeton, Chicago, Harvard, Cambridge, Oxford, Cornell, California, Michigan, Pittsburgh, Kansas, State University of New York, New York University, Ohio State, Georgetown, Manchester (UK), Brookings Institution

Commercial and other Publishers: HarperCollins, Westview, Longman, Routledge, St. Martin's, Allyn & Bacon, Congressional Quarterly, Haworth Press, Resources for the Future Press, Palgrave Macmillan

Funding Agencies: National Science Foundation (US), Social Science Research Council (UK), British Academy, European Social Research Council, European Research Council, European Science Foundation, Social Science and Humanities Research Council (Canada), Irish Research Council for Humanities and Social Sciences, Irish Academy of Science, National Science Foundation (Switzerland), Research Grants Council (Hong Kong), Hungarian Scientific Research Fund, Israeli Science Foundation, Council for the Earth and Life Sciences (Netherlands), Research Foundation – Flanders (Belgium), Danish Council for Independent Research, University of Milan (Italy), Australian Research Council, Agence Nationale de la Recherche (France), Japan Society for the Promotion of Science (Japan), Agency for Management of University and Research Grants (AGAUR) (Catalonia), Hungarian Academy of Sciences, Millennium Science Initiative (Government of Chile), Austrian Science Fund, Royal Society of New Zealand, MacArthur Foundation, Spencer Foundation, Earhart Foundation, Pew Charitable Trusts

Camargo Foundation, selection review board, 2009–14

*West European Politics* Smith-Wright best article award committee (chair), 2021

Other: Educational Testing Service, Decision Insights, Inc., Handbook of Decision-Making

National Science Foundation, 2000-2021:

Committee of Visitors, Member or Chair, Social Behavioral Sciences, Political Science Panelist, Building and Broadening, Interdisciplinary Behavioral and Social Science Research, Cyber-Enabled Discovery and Innovation, Interdisciplinary Graduate Education, Research and Training

Distinguished Lecturer, SBE Division, 2015

Workshop on Cyberinfrastructure Needs in the Social Sciences, October 22, 2004

Outside evaluations:

University of Glasgow, Policy Scotland external advisory board, 2013–2018

Political Science Department, Purdue University, October 2015

Political Science Department, University of California, Santa Cruz, January 2008

Political Science Department, Graduate Programs, Western Michigan University,  
December 2005

Political Science Department, Syracuse University, October 2005

Political Science Department, University of British Columbia, Canada, September 2005

Political Science Department, Michigan State University, Spring 2004

M.A. in Public Policy Program, SUNY-Stony Brook, October 1999

### ***Professional Service and Association Work***

#### American Political Science Association:

##### *Association-wide assignments*

Member, Presidential Task Force on the Association's Reponse to the Coronavirus, 2020–  
Special Projects Fund Selection Committee, 2018

Vice-President, 2015–16

Member, *APSR* editor selection committee, 2014–15

Member, Lasswell Award Committee, 2012 (for best dissertation in public policy)

Member, Nominating Committee, 2004

Chair, Nominating Committee, 2003

Chair, EE Schattschneider Award Committee, 2002 (for best dissertation in American  
politics)

##### *Section on Public Policy*

Best paper on comparative public policy committee, 2012, 2013

Short Course on the Comparative Policy Agendas Project, annual meetings, August 30,  
2011. (with Bryan D. Jones and others)

President, 2008–09

President-elect (section organizer), 2007–08 (29 panels)

Short Course on Teaching Public Policy, workshop on comparative approaches, annual  
meetings, August 27, 2008. (with Kent Weaver)

Member, selection committee for editor, *Policy Studies Journal*, 2008

Short Course on the Comparative Policy Agendas Project, annual meetings, August 30,  
2006. (with Bryan D. Jones, John Wilkerson, and others)

Member, Aaron Wildavsky Award selection committee, 2005–06

Short Course on the Policy Agendas Project, annual meetings, August 31, 2005. (with  
Bryan D. Jones, John Wilkerson, and others)

Short Course on the Policy Agendas Project, annual meetings, August 27, 2003. (with  
Bryan D. Jones, John Wilkerson, and others)

Member, Executive Council, 1997–2000

Member, Nominating Committee, 2000

Short Course on Using the Policy Agendas Project in Your Research, annual meetings,  
August 30, 2000 (with Bryan D. Jones)

Chair, Aaron Wildavsky Award selection committee, 1997–98

##### *Section on Political Organizations and Parties*

Chair, Samuel Eldersveld Career Achievement Award Committee, 2019

Member, Leon Epstein Award committee for best book, 2011

Member, Selection committee for special issue of *Party Politics*, 2010

Chair, Samuel Eldersveld Career Achievement Award Committee, 2008

Chair, 2003–05  
Member, Emerging Scholar Selection Committee, 2002  
Member, Nominating Committee, 1999–2000

*Division on Politics and Society in Western Europe*

Program Chair, annual meetings, 1998 (18 panels)

*Conference Group on French Politics and Society*

Program organizer, 1993–97 (2 to 4 panels per year)

Member, Stanley Hoffman Award for the best article on French politics, 2009

Midwest Political Science Association:

Member, Best Poster Award Committee, 2010  
Member, Patrick J. Fett Award Committee, 2008  
Member, Selection Committee for Editorship of the *AJPS*, 2004  
Member, Committee on the Annual Program, 1996–97  
Program co-chair, annual meetings, 1995 (approx. 300 panels and 2,000 participants)

Southern Political Science Association:

Member, Joseph L. Bernd Best *Journal of Politics* Paper Award Committee, 2018  
Member, Malcolm Jewell Award Committee for best paper by a graduate student presented at the 2010 meetings  
Chair, Section on Interest Groups, annual meetings, 2002 (8 panels)  
Chair, Section on Interest Groups, annual meetings, 1996 (5 panels)

Association Française de Science Politique:

Comité de direction, groupe argent et politique (2005–10)

Other:

Chair, Charles Levine memorial book prize selection committee, International Political Science Association, committee on Structures and Organization of Government, to recognize a distinguished book in the field of comparative public administration, 2005–06  
Member, Nominating Committee, Midwest Public Administration Caucus, 2005  
Member, National Election Studies 1997 Pilot Study Planning Committee

Member of: American Political Science Association; Midwest Political Science Association; Conference Group on French Politics and Society, APSA Organized Sections on Public Policy, Race and Ethnic Politics, and Political Organizations and Parties

Community Service:

Member, Data Team, NC Task Force for Racial Equity in Criminal Justice, 2020–  
Pro-bono consulting for various civil rights, death penalty, and other legal and advocacy causes, 2010–  
Member, Board of Directors, Healing Justice Project, Washington DC, 2015–2019

References available on request

# APPENDIX C

I, Olivia Ensign, declare and state the following:

1. I made this declaration based upon my personal knowledge, as a former Staff Attorney for the American Civil Liberties Union's Capital Punishment Project.
2. On December 3, 2019, Board of Indigent Defense Services Death Penalty Defense Unit (DPDU) attorney Peter Conley sent a KORA request to the Sedgwick County District Attorney's office requesting homicide data. The Sedgwick County District Attorney's Office provided a response on February 21, 2020. On April 2, 2020, Mr. Conley sent an additional request to the Sedgwick County District Attorney requesting data related to decisions to seek the death penalty, training materials for prosecutors, and costs associated with prosecuting capital cases.
3. On February 5, 2020, Mr. Conley sent KORA requests to the other 104 counties in Kansas. These requests went out to County and District Attorney offices. These requests asked for data on capital and non-capital homicide prosecutions between July 1, 1994 to the present. The requested data included charging materials, training materials, and cost and staffing data.
4. Mr. Conley also filed a KORA request with the Kansas Department of Corrections for the data related to the added cost of housing death row prisoners on August 26, 2020, and received data on September 3, 2020.
5. On April 2, 2020, counsel filed a KORA request with the Kansas Judicial Council for the data collected during the January 29, 2004, December 4, 2009, and February 13, 2014 reports by the Death Penalty Advisory Committee. On August 13, 2020 counsel was granted access to these files.
6. Also on April 2, 2020, counsel filed a KORA request to the Kansas Legislative Division of Post Audit for the December 2003 Performance Audit Report on Costs Incurred for Death Penalty Cases. On that day, the Kansas Legislative Division of Post Audit responded that they had destroyed all records.
7. On June 22, 2020, at the request of counsel, Mr. Conley provided the Kansas State Board of Indigent Defense (BIDS) budgets by fiscal year for the years 2014-2021. On February 16, 2021, counsel sent an additional request to BIDS for trial expenses, direct appeal expenses and habeas expenses for the Counties that had a capital trial prosecution between 2012 and 2019 to ensure the years with an active capital case, 2014 to 2018 were covered. BIDS provided costs for the homicides the agency handled since 2012, pulling from vouchers, for attorney costs, expert costs, and transcript costs in June 2021.
8. On October 20, 2021, counsel sent a KORA request to the Kansas Supreme Court. This request was forwarded to the Office of Judicial Administration and denied in part on October 21, 2021. On November 1, 2021, November 4, 2021, and November 5, 2021, the Office provided documents regarding judicial salary information and annual budgets from 2012-present.
9. On August 30, 2021, counsel sent a KORA request to the Kansas Attorney General's Office. On September 9, 2021, counsel received a response stating the Office had received the request. On September 27, 2021, October 6, 2021, November 2, 2021, and November 8, 2021, counsel

attempted follow up communications via phone and email but received no reply. On December 13, 2021, counsel sent the Office a courtesy copy of a complaint set to be filed in Kansas district court due to this lack of response. On December 15, 2021, counsel conferred with the Attorney General's Office via a phone conference. Following this conference, on December 30, 2021, counsel received a letter denying the request in part and noting that the Attorney General's Office would continue to collect certain documents. On February 8, 2022, the Office provided a list of criminal homicide cases handled by the Office from 2012-2020 and noting that the Office would continue to collect certain documents. On February 22, 2022, the Office sent a request for clarification which counsel responded to on February 23, 2022.

10. On August 26, 2021, counsel sent a KORA request to the Kansas Bureau of Investigation (KBI). On September 1, 2021, counsel received a list of questions regarding the request from KBI and responded on September 14, 2021. On September 24, 2021, counsel received a letter from KBI stating that the KBI website contained a register of all KBI's publicly available digital information. On October 15, 2021, KBI sent a letter stating the request did not contain sufficient information for the relevant documents to be located. On October 27, 2021, and November 1, 2021, counsel sent emails intended to clarify the request for KBI. On November 1, 2021, KBI again stated the request did not contain sufficient information for the relevant documents to be located. On November 15, 2021, counsel again provided an updated request with a focus on documents from a single county. On November 18, 2021, KBI again stated the request did not contain sufficient information for the relevant documents to be located. On January 3, 2022, counsel again provided an updated request. On January 6, 2022, KBI again stated the request did not contain sufficient information for the relevant documents to be located. On January 19, 2022, counsel again provided an updated request. On January 25, 2022, KBI replied stating that they would need until February 21, 2022, to provide an update. On February 21, 2022, KBI sent a letter describing the data available for one investigation and requesting additional clarification. Counsel responded to this letter on February 24, 2022.
11. On January 12, 2022, counsel sent a KORA request to the Kansas Court of Appeals. On January 14, 2022, this request was forwarded to the Office of Judicial Administration. It was denied on January 20, 2022.
12. Beginning in January 2021 extensive follow up efforts were initiated to gather all outstanding data from county officials in counties that had one of more active death penalty cases between 2014 and 2018. These included Barton, Chautauqua, Franklin, Geary, Harvey, Johnson, Labette, Pratt, Riley, Saline, Sedgwick, Shawnee, and Wyandotte counties.
13. Barton: In February 2020, the Barton County attorney issued its initial response to counsel's February 2020 request. On February 24, 2020, they issued a partial response to the KORA request sending itemized budgets from 1998 to 2020, detailing wages, travel, and witness fees, but not providing a breakdown by case. On January 12, 2021, counsel reached out to confirm that, when public health guidelines allowed, that a team member would be able to review physical files for charging documents and individual costs in files. On January 14, 2022 counsel reached out to confirm a time to review and, in the alternative, requested a "filings by statute report" search. On January 20, 2022, the county attorney's office provided a list of capital and first-degree homicide cases from 2012-2020.



14. On August 26, 2021, counsel submitted a KORA request to the Barton County Sheriff's Department. On September 29, 2021, the Barton County Sheriff's Department provided relevant budget documents and reported that they handled no relevant cases between January 1, 2012, to January 1, 2020 and therefore had no relevant cost documents.
15. On August 27, 2021, counsel submitted a KORA request to the Clerk of the Barton County District Court. This was forwarded to the Office of Judicial Administration. On January 5, 2022, counsel submitted an updated request to the Clerk of the Barton County District Court for all complaint(s); the notice of intent to seek the death penalty; the journal entry of judgement; the notice of intent to seek a separate sentencing proceeding; the withdrawal of notice of intent to seek the death penalty; all financial affidavits; all orders appointing counsel; the notice of filing of charge(s), amended charge(s), or additional charge(s); and any documents that appear to be related to expenses/costs for all capital and non-capital homicide cases handled by the court between January 1, 2012 to January 1, 2020 (hereinafter, the "documents requested from the District Courts"). On January 6, 2022, the District Court provided some of these documents.
16. Chautauqua: On March 19 2020, the Chautauqua County Attorney issued a partial response to counsel's February 2020 request. The only information the County Attorney could provide was an estimation of approximately \$300 in witness fees for homicide cases prosecuted since January 2017. The County Attorney also confirmed that she did not maintain time-keeping records. She also referred counsel to the Clerk of District Court for any lists of capital and non-capital homicide prosecutions, the County Clerk of the Court for any annual budgets, and the Office of the Attorney General for any documentation of capital prosecutions originating from the County. A renewed KORA request was sent to the Chautauqua County Attorney's Office in January 2021, but no additional information was provided.
17. On August 26, 2021, counsel submitted a KORA request to the Chautauqua County Sheriff's Office. On October 8, 2021, the Chautauqua County Sheriff's Office provided relevant budget documents, documentation for personnel who would have assisted or investigated non-capital homicides between January 1, 2012, to January 1, 2020, and reported that they handled no relevant capital homicide cases between January 1, 2012, to January 1, 2020 and therefore had no relevant cost documents for capital homicide cases.
18. On August 26, 2021, counsel submitted a KORA request to the Clerk of the Chautauqua County District Court. This was forwarded to the Office of Judicial Administration. On January 6, 2022, counsel submitted an updated request to the Clerk of the Chautauqua County District Court for the documents requested from the District Courts. On January 7, 2022, the District Court provided some of these documents.
19. On August 27, 2021, counsel submitted a KORA request to the Chautauqua County Clerk's Office. On September 27, 2021, the Chautauqua County Clerk's Office provided relevant budget documents and accounts payable, including transcript and jury fees.
20. Franklin: In February 2020, the Franklin County Attorney provided a partial response to counsel's February 2020 request with a list of capital and non-capital homicide cases prosecuted since 1994 and associated charging documents as well as non-itemized annual budgets. In January 2021, counsel submitted a renewed KORA request to the County Attorney and did not

receive any additional information. In their response to this renewed KORA request, the County Attorney noted that prior to his taking over the office in November 2018, the record keeping “was not good” and that no additional responsive information was available.

21. On August 26, 2021, counsel submitted a KORA request to the Franklin County Sheriff’s Office. On October 15, 2021, the Franklin County Sheriff’s Office provided relevant budget documents.
22. On August 26, 2021, counsel submitted a KORA request to the Clerk of the Franklin County District Court. This was forwarded to the Office of Judicial Administration. On December 13, 2021, counsel submitted an updated request to the Clerk of the Franklin County District Court for the documents requested from the District Courts. On December 13, 2021, the District Court provided some of these documents.
23. On August 26, 2021, counsel sent a KORA request to the Franklin County Accounting Department. The County Treasurer forwarded this request to the County Clerk who, on August 30, 2021, provided the relevant budget documents for the Franklin County Attorney from January 1, 2012 to January 1, 2020. Additionally, the Franklin County Clerk provided trial funds from 2013-2017 that contain expenses for the only capital homicide as well as county staff hours and salary for time attributed to that case.
24. Geary: On February 10, 2020, the Geary County Attorney requested additional time to respond to counsel’s February 5, 2020, KORA request. In January 2021, counsel submitted a renewed KORA request. In February 2021, the County Attorney responded to this renewed request and advised that it would take “no less than six months” to produce responsive records. On August 26, 2021, counsel submitted a KORA request to the Geary County Accounting Department and on August 27, 2021, counsel submitted a KORA request to the Geary County Clerk’s Office. The County Treasurer and the County Clerk forwarded this request to the Geary County Attorney’s Office who on September 14, 2021 provided the relevant budget documents for the Geary County Attorney for the years 2014, 2016, 2017, 2018, 2019, and 2020; attorney salaries for 2021; and a list of capital and non-capital homicides from 2012-2020. On September 21, 2021, the County Attorney’s Office provided relevant budget documents for the remaining years of 2012, 2013, and 2015. On October 5, 2021, the County Attorney’s Office provided vouchers associated with the list of capital and non-capital homicide cases.
25. On August 26, 2021, counsel submitted a KORA request to the Geary County Sheriff’s Office. On August 30, 2021, the Geary County Sheriff’s Office provided relevant budget documents. On September 21, 2021, the Geary County Sheriff’s Office provided caseloads and salaries for employees involved in a case that would classify as capital murder.
26. On August 27, 2021, counsel submitted a KORA request to the Clerk of the Geary County District Court. This was forwarded to the Office of Judicial Administration. On December 16, 2021, counsel submitted an updated request to the Clerk of the Geary County District Court for the documents requested from the District Courts. On December 22, 2021, the District Court provided a portion of these documents. On February 16, 2022, counsel received complete paper documents.

27. Harvey: Counsel submitted a KORA request to the Harvey County Attorney on February 5, 2020 and a renewed request on January 27, 2021 to the newly elected Harvey County Attorney. Counsel did not receive a response to either request. As a result, on February 16, 2021, counsel notified Harvey County Attorney Jason Lane that they would be pursuing enforcement actions in the District Court and attached a draft courtesy copy of the related complaint. Lane responded the next day, citing system issues and transition as the reason behind the lack of response. Lane requested additional time to process the request and renewed this request in March 2021. On April 6, 2021, Lane provided lists, but not charging documents, for capital and non-capital homicide cases in the requested time period and lists of decision makers. Lane referred counsel to the Harvey County Office of Administration for annual budgetary information and noted that the “Harvey County Attorney’s Office does not segregate costs and time-keeping specific to the prosecution of capital homicide cases from general prosecution.”
28. On August 26, 2021, counsel submitted a KORA request to the Harvey County Sheriff’s Office and the Harvey County Accounting Department. The County Treasurer and Sheriff forwarded this request to the County Counselor who provided the relevant budget documents for the Harvey County Attorney’s Office and the Harvey County Sheriff’s Office for the years 2013, 2016, and 2017 on October 11, 2021. On October 22, 2021, the County Counselor provided relevant budget documents for both offices for the years 2012, 2014, 2015, 2018, 2019, and 2020.
29. On August 27, 2021, counsel submitted a KORA request to the Clerk of the Harvey County District Court and the Harvey County Clerk’s Office. This was forwarded to the Office of Judicial Administration who provided suggestions. On December 16, 2021, counsel submitted an updated request to the Clerk of the Harvey County District Court for the documents requested from the District Courts. On December 17, 2021, the District Court provided some of these documents.
30. Johnson: On July 31, 2020, the Johnson County District Attorney acknowledged receipt of the July 31, 2020, KORA request. In December 2020, the District Attorney stated that review was still in progress. In March 2021, the District Attorney provided an update that the review would be finalized soon. In May 2021 the District Attorney’s office responded, directing counsel to the Johnson County Budget and Financial Planning Department for any historical budget data and employee salary information, and noting that there were no responsive cost documents because the “Johnson County District Attorney’s Office does not track billable hours or keep timesheets related to specific cases.”
31. On August 26, 2021, counsel submitted a KORA request to the Johnson County Sheriff’s Office. On October 14, 2021, the Johnson County Sheriff’s Office provided relevant documents.
32. On August 27, 2021, counsel submitted a KORA request to the Clerk of the Johnson County District Court. This was forwarded to the Office of Judicial Administration. On December 20, 2021, counsel submitted an updated request to the Clerk of the Johnson County District Court for the documents requested from the District Courts. On February 8, 2022, the District Court provided some of these documents.
33. Labette: On February 13, 2020, the Labette County Attorney acknowledged receipt of the February 5, 2020 request. Later that month, the County Attorney's office requested additional

time to process the request. On January 27, 2021, counsel submitted a renewed KORA request. On March 2, 2021 the Labette County Attorney supplied only budget information for 2013 to 2021. On March 8, 2021 counsel replied, requesting cost estimates for searching individual files for cost information. This estimate was not forthcoming despite follow up by counsel in July and August. On August 25, 2021 the County Attorney requested a phone call, which took place on August 26, 2021. The next day the County Attorney provided in writing a confirmation of the information provided on the call including that the Labette County Attorney's Office did not keep time keeping records and that there were no expert costs expended by the office on homicide cases between 2012 and 2019. The County Attorney also referred counsel to the Attorney General's Office for information about the capital case charged in that period.

34. On August 26, 2021, counsel submitted a KORA request to the Labette County Sheriff's Office and the Labette County Clerk's Office. On September 10, 2021, the Labette County Clerk's Office provided relevant budget documents for the Labette County Sheriff's Office.
35. On August 26, 2021, counsel submitted a KORA request to the Clerk of the Labette County District Court. This was forwarded to the Office of Judicial Administration who provided suggestions. On January 5, 2022, counsel submitted an updated request to the Clerk of the Labette County District Court for the documents requested from the District Courts. On January 6, 2022, the District Court provided some of these documents.
36. Pratt: On February 5, 2020, counsel submitted a KORA request to the Pratt County Attorney. On February 17, 2020, the Pratt County Attorney provided a list of charged homicide cases, all of which were referred to and prosecuted by the State Attorney General's Office. On costs, the County Attorney provided its annual budget and expert witness consulting costs for a single case.
37. On August 26, 2021, counsel submitted a KORA request to the Pratt County Sheriff's Office. On September 7, 2021, the Pratt County Sheriff's Office provided relevant budget documents and reported that they handled no relevant cases between January 1, 2012, to January 1, 2020 and therefore had no relevant cost documents.
38. On August 27, 2021, counsel submitted a KORA request to the Pratt Police Department. On August 31, 2021, the Pratt Police Department directed the inquiry to the Pratt Finance Director. On September 17, 2021, the Pratt Finance Director provided annual certified budget sheets from 2012-2020 and budgets for 2012-2020.
39. On August 26, 2021, counsel submitted a KORA request to the Clerk of the Pratt County District Court. This was forwarded to the Office of Judicial Administration. On December 17, 2021, counsel submitted an updated request to the Clerk of the Pratt County District Court for documents requested from the District Courts. On December 17, 2021, the District Court provided some of these documents.
40. On August 26, 2021, counsel submitted a KORA request to the Pratt County Freedom of Information Officer. On August 27, 2021, this request was forwarded to the Pratt County District Court Clerk and the Pratt County Attorney. On September 17, 2021, and October 13, 2021, the Pratt County Attorney provided relevant cost-related documents for two homicide cases

prosecuted in the county between January 1, 2012, and January 1, 2020, as well as county budget documents.

41. Riley: On February 10, 2020, the Riley County Attorney responded to counsel's February 5, 2020, KORA request. They produced cost information included budgets going back to 2018, but referred counsel to the Riley County Clerk's Office for historical budget information prior to that date. The County Attorney also provided a cost estimate for additional research into cost information. On May 20, 2021 counsel flagged outstanding documents to the County Attorney. On September 9, 2021 the County Attorney's Office provided additional information on costs, however noting that the office did not track hours spent on each case or the "number of hours spent preparing and or responding to motions and preparing for trial." The County Attorney did provide "documented fees" by case, totaling \$34,308.26.
42. On January 12, 2021, counsel sent a KORA request to the Riley County Clerk. The County Clerk forwarded this request to the Deputy Riley County Counselor who provided the budget information for the Riley County Attorney from January 1, 2012 to January 1, 2020.
43. On August 26, 2021, counsel sent a KORA request to the Riley County Police Department. On November 22, 2021, the Riley County Police Department provided budget information from 2012-2020 and the number of hours spent and costs associated with investigating 22 non-capital homicides from 2012-2020.
44. On August 27, 2021, counsel sent a KORA request to the Riley County District Court. Following discussions with the Office of Judicial Administration, counsel sent an updated request on December 13, 2021, to the Clerk of the Riley County District Court for documents requested from the District Courts. The Riley County District Court provided some of these documents on December 22, 2021 and January 28, 2022.
45. Saline: On February 5, 2020, counsel sent a KORA request to the Saline County Attorney. On February 11, 2020, the County Attorney responded by email and provided the annual budget for the County Attorney from 2001 to 2020. The County Attorney also responded that "no such documents exist" relating to prosecuting capital cases and non-capital homicide cases, but did provide an "unofficial...tab of expenses for homicide cases" by year, that did not include time keeping records and included "mostly costs of photographs, exhibits, witness expenses." Counsel submitted an updated KORA request January 12, 2021, identifying a capital case charged in 2017 and requesting associated costs as well as requesting the underlying documentation for the unofficial tab provided in February 2020. An additional request was made by counsel March 17, 2021, identifying another capital case charged in the requested time period. No additional information was provided by the County Attorney who replied "I don't know the numbers for costs or hours handling capital cases" and referred counsel to the Saline County Administrator's Office and the Clerk of the Court.
46. On August 26, 2021, counsel sent a KORA request to the Salina City Police Department. On November 17, 2021, and November 19, 2021, the Police Department provided 2012-2020 budgets, overtime hours submitted by police officers and some civilian support staff, salaries, and benefits of identified officers and support staff broken down by homicide.

47. On August 26, 2021, counsel sent a KORA request to the Saline County Sheriff's Office. The Office provided budget information on August 30, 2021.
48. On August 26, 2021, counsel sent a KORA request to the Saline County District Court. This was forwarded to the Office of Judicial Administration. On December 12, 2021, counsel submitted an updated request to the Clerk of the Saline County District Court for the documents requested from the District Courts. The Saline County District Court provided some of these documents on January 3, 2022, January 7, 2022, January 26, 2022, and January 27, 2022.
49. On August 26, 2021, counsel sent a KORA request to the Saline County Clerk. On August 27, 2021, this request was forwarded to the Saline County Attorney who responded that none of the requested documents were available on October 6, 2021.
50. On August 26, 2021, counsel sent a KORA request to the Saline Accounting Department. On September 9, 2021, the Department provided payroll information for all employees in the County Attorney's Office.
51. Sedgwick: On April 2, 2020, counsel sent a request to the Sedgwick District Attorney requesting data related to decisions to seek the death penalty, training materials for prosecutors, and costs associated with prosecuting capital cases. On June 5, 2020 the Office of the District Attorney provided a response to the KORA request and on June 19, 2020, the Office of the District Attorney provided cost estimates for providing annual budgets and expenses related to criminal cases. The District Attorney also stated that they did not maintain records regarding staff time spent working on homicide cases and did not have compensation data to determine the salaries of staff during the time they worked on specific cases. For the latter they referred counsel to the Sedgwick County Division of Finance. On March 30, 2021, the District Attorney provided counsel with their budget for years 1994 through 2002 as well as case related payments for 813 cases where one or more deaths occurred between the dates of July 1, 1994 and August 2, 2020.
52. On August 30, 2021, counsel sent a KORA request to the Wichita Police Department. On October 13, 2021, the Department provided annual budget information.
53. On August 30, 2021, counsel sent a KORA request to the Sedgwick Sheriff's Office. On September 10, 2021, and October 28, 2021, the Sheriff's Office provided the following information: annual budgets from 2007-2021; annual benefit rates from 2012-2020; excel spreadsheet representing all officers who worked on a homicide case from 2012-2020; and excel spreadsheet including a list of names and dates corresponding to each officer who worked on homicide cases from 2012-2020.
54. On August 30, 2021, counsel sent a KORA request to the Wichita State University Police Department. On December 10, 2021, Wichita State University General Counsel's Office provided records of the Department's involvement in one investigation and annual budget information.
55. On August 30, 2021, counsel sent a KORA request to the Sedgwick County District Court. This was forwarded to the Office of Judicial Administration. On January 25, 2022, counsel submitted an updated request to the Clerk of the Sedgwick County District Court for the documents requested from the District Courts. The Sedgwick County District Court provided some of these

documents on February 9, 2022, February 10, 2022, February 11, 2022, February 16, 2022, February 22, 2022, February 25, 2022, and February 28, 2022.

56. Shawnee: On February 5, 2020, counsel submitted a KORA request to the Shawnee District Attorney. On January 13, 2021, counsel submitted a renewed KORA request to the District Attorney requesting all documents on the costs of investigating, charging, or prosecuting of capital and non-capital homicides between January 1, 2012 and January 1, 2020. On January 15, 2021, the District Attorney responded noting that they were unable to provide expert fees or time keeping records and referring counsel to the Clerk of the District Court for witness fees. On January 26, 2021, the District Attorney submitted an additional response noting that it was not possible to determine staff time on a particular case, but offered to provide information on the special fund created by the County Commission authorized by the District Attorney's Office for any special costs related to prosecuting capital cases. Upon submission of payment, the Shawnee District Attorney's Office provided cost documentation including information on budget line items and totals for the Special Account for Capital Murder, fiscal year 2014-15, trial expenses for fiscal year 2015-18, and information on employee salaries and benefits.
57. On August 26, 2021, counsel submitted a KORA request to the Topeka Police Department. On September 1, 2021, the Department provided annual budget information for fiscal years 2012-2020.
58. On August 26, 2021, counsel submitted a KORA request to the Shawnee County Sheriff's Office. On September 9, 2021, and November 18, 2021, the Office provided the following information: budgets from 2012-2020; a table of case numbers and types; and a table of hours worked during each pay period by the officers assigned to the case while the case was active, along with their wages at the time of the respective case and any overtime.
59. On August 26, 2021, counsel submitted a KORA request to the Shawnee County District Court. This was forwarded to the Office of Judicial Administration. On December 13, 2021, counsel submitted an updated request to the Clerk of the Shawnee County District Court for the documents requested from the District Courts. The Shawnee County District Court provided some of these documents on January 11-14, 2022, and February 4, 2022.
60. On January 13, 2021, counsel submitted a KORA to the Shawnee County Clerk requesting the annual budget of the District Attorney's Office and costs related to the adjudication of capital and non-capital homicide costs. The Shawnee County clerk referred this request to the Deputy District Attorney who on January 20, 2021, provided the annual budgets for their office for 2012-2019. On August 26, 2021, counsel submitted another KORA request to the Shawnee County Clerk's Office and Accounting Department. On August 27, 2021, this request was forwarded to the Shawnee County District Attorney's Office. On September 17, 2021, the District Attorney reported that they had provided all information in their possession.
61. Wyandotte: On February 5, 2020, counsel submitted a KORA request to the Wyandotte County District Attorney. On February 7, 2020, counsel received an email response requiring that a request be made through a specific portal; the request was resubmitted through this platform on July 31, 2020. On July 31, 2020, Wyandotte County acknowledged receipt of the Request and assigned it reference number 20-1541. Wyandotte County did not respond again to Mr. Conley's

request until September 25, 2020. On this date Wyandotte County's Public Records division sent Mr. Conley an unsigned email stating they had reviewed the request and determined none of these records exist in their office. The email stated that "[t]he District Court may have records." On January 22, 2021, counsel sent the District Attorney's office a draft courtesy copy of a complaint seeking additional information. On January 25, 2021, the District Attorney's Office responded referring counsel to the District Court for criminal case records and Unified Government Accounting for records regarding costs. On this same date the District Attorney's Office provided three case names. On February 3, 2021, counsel submitted KORA requests to the District Attorney's Office and Accounting Department. On February 26, 2021, the Accounting Department provided amended and actual budgets of the District Attorney between 2011 and 2020 as well as expenditures, not broken down by case, but including, among other items, witness fees and travel costs. On May 12, 2021 the District Attorney's Office provided a list of homicide cases between 2012 and 2020.

62. On August 26, 2021, counsel sent a KORA request to the Kansas City Police Department. On September 27, 2021, the Department provided their annual budgets from 2012-2020.
63. On August 26, 2021, counsel sent a KORA request to the Wyandotte County Sheriff's Office. On September 21, 2021, the Office provided their annual budget documents.
64. On August 26, 2021, counsel sent a KORA request to the Wyandotte County District Court. This was forwarded to the Office of Judicial Administration. On December 16, 2021, counsel submitted an updated request to the Clerk of the Shawnee County District Court for the documents requested from the District Courts. The Wyandotte County District Court provided certain of these documents on February 11, 2022. On February 16, 2022, counsel followed up for additional documents. The Wyandotte County District Court provided certain of these documents on February 17, 2022.

I declare under the penalty of perjury of perjury under the laws of North Carolina that the foregoing is true and correct and was executed this 4th day of March in Durham, North Carolina.



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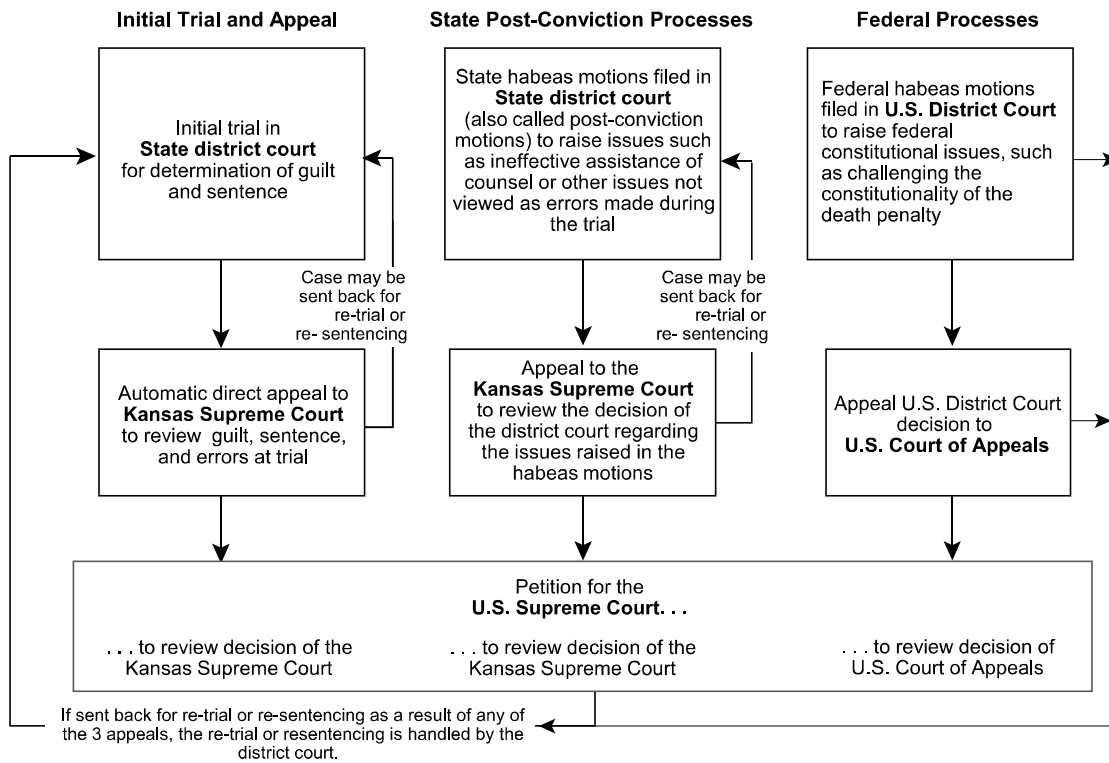
Olivia Ensign



# APPENDIX D

## Death Penalty Cases Have Several Levels of Review

U.S. Supreme Court rulings have given defendants in death penalty cases access to various levels of review, as shown below.



As a general rule, the levels of appeal are sequential: the defendant must appeal to the Kansas Supreme Court and the U.S. Supreme Court before filing post-conviction motions in district court, and State appeals must be exhausted before filing any appeals with the U.S. District Court.