

LAURA I APPLEMAN
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ACADEMIC APPOINTMENTS

WILLAMETTE UNIVERSITY COLLEGE OF LAW, Salem, OR
University Research Integrity Officer, 2020 - present
Van Winkle Melton Professor of Law, 2018 - present
Associate Dean of Faculty Research, 2015 - 2020
Professor of Law, 2014 – present; Assoc. Prof. (w/tenure), 2011-2014; Asst. Prof., 2006-2011
Courses: Criminal Law, Criminal Pro. I & II, Sentencing Law & Policy, Family Law
Awards: Robert L. Misner Award for Faculty Scholarship, 2011

EDUCATION

YALE LAW SCHOOL, New Haven, CT
J.D., 1998

UNIVERSITY OF PENNSYLVANIA, Philadelphia, PA
M.A., English, 1994
B.A., *summa cum laude*, Phi Beta Kappa, English, 1994

PUBLICATIONS

BOOKS

DEFENDING THE JURY: CRIME, COMMUNITY, & THE CONSTITUTION (Cambridge: 2015)

LAW REVIEW ARTICLES & ESSAYS

The False Promise of Criminal Justice Expertise, 90 FORDHAM L. REV. O. 168 (2021),
<https://fordhamlawreview.org/wp-content/uploads/2021/06/Appleman-May-Final.pdf>

Hidden in Plain Sight: Eugenics, Public Health, & COVID-19, 30 HARV. PUB. HEALTH REV.
(2021), <https://harvardpublichealthreview.org/30-article-appleman/>

Pandemic Eugenics: Discrimination, Disability, & Detainment During COVID-19,
67 LOYOLA L. REV. 101 (2021).

The Treatment-Industrial Complex: Alternative Corrections, Private Prison Companies, & Criminal Justice Debt, 55 HARV. C.R.-C.L. L. REV. 1 (2020).

The Captive Lab Rat: Human Medical Incarceration and the Carceral State,
61 B.C. L. REV. 1 (2020).

Opioids, Addiction Treatment, and the Long Tail of Eugenics,
80 OHIO ST. L.J. 84 (2019).

Deviancy, Dependency, & Disability: The Forgotten History of Eugenics and Mass Incarceration, 68 DUKE L. J. 417 (2018)

- Reviewed by Jonathan Simon, *The Long Tail of Eugenics*, JOTWELL, Nov. 5, 2019

Cashing in on Convicts: Privatization, Punishment, and the People,
2018 UTAH L. REV. 579 (2018)

Local Democracy, Community Adjudication, and Criminal Justice,
111 NW. U. L. REV. 1413 (2017).

Nickel and Dimed into Incarceration: Cash-Register Justice in the Criminal System,
57 B.C. L. REV. 1483 (2016).

A Tragedy of Errors: Blackstone, Procedural Asymmetry, and Criminal Justice,
128 HARV. L. REV. F. 91 (2015) <http://harvardlawreview.org/?p=3449>

Justice in the Shadowlands: Pretrial Detention, Punishment, & the Sixth Amendment,
69 WASH. & LEE L. REV. 1297 (2012)

The Community Right to Counsel, 17 BERKELEY J. CRIM. L. 1 (2012)

Oscar Wilde's Long Tail: Framing Sexual Identity in the Law, 70 MD. L. REV. 985 (2011)

The Plea Jury, 85 IND. L. J. 731 (2010).

The Lost Meaning of the Jury Trial Right, 84 IND. L. J. 397 (2009)

Retributive Justice and Hidden Sentencing, 68 OHIO ST. L.J. 1307 (2007)

Reports of Batson's Death Have Been Greatly Exaggerated: How the Batson Procedure Enforces a Normative Framework for Legal Ethics, 78 TEMPLE L. REV. 101 (2005)

The Rise of the Modern American Law School: How Professionalization, German Scholarship and Legal Reform Shaped Our System of Legal Education, 39 NEW ENG. L. REV. 251 (2005).

SHORTER WORK

White Paper of Democratic Criminal Justice, 111 NW. U. L. REV. 1693 (2017, with Joshua Kleinfeld, Richard Bierschbach, et. al.)

Gothic Stories, Mens Rea, and Nineteenth-Century American Criminal Law, in
LAW AND HUMANITIES IN NINETEENTH-CENTURY AMERICA (Ashgate: 2017)

Who Watches the Watchers? Judges, Guilty Pleas, and Outsider Review, 67 FLA. L. REV. F. 44 (2015)

Sentencing, Empirical Desert & Restorative Justice, in PAUL H. ROBINSON, STEPHEN GARVEY & KIMBERLY KESSLER FERZAN, EDS., CRIMINAL LAW CONVERSATIONS (Oxford 2009)

Splitting the Baby: The Danger of Distinguishing Between Offense and Offender Characteristics, in PAUL H. ROBINSON, STEPHEN GARVEY & KIMBERLY KESSLER FERZAN, EDS., CRIMINAL LAW CONVERSATIONS (Oxford 2009)

Towards a Common Law of Sentencing: Gall, Kimbrough and the Search for Reasonableness, 21 FED. SENT. REP. 3-6 (2008)

Rethinking Retribution: Understanding Punishment Theory After Blakely, 18 FED. SENT. REP. 247-249 (2006)

Please Don't Squeeze the Client, LEGAL TIMES, Vol. XXIX, No. 42 (October 16, 2006)

The Ethics of Indigent Criminal Defense Representation: Has New York Failed the Promise of Gideon?, 16.4 PROF. LAWYER (2005)

VERSE

A Theory of Law, Amended & Mended, in *A Micro-Symposium for Orin Kerr's "A Theory of Law," Part II*, 2 J. OF L. 490 (2013) (poem).

The Great Writ, 9 GREEN BAG 2d 93 (2005) (poem)

The Appellate Lawyer's Lament, 8 GREEN BAG 2d 210 (2005) (poem)

SELECTED MEDIA

Return Criminal Justice to the Community, AL-JAZEERA AMERICA (September 19, 2015)
<http://america.aljazeera.com/opinions/2015/9/return-criminal-justice-to-the-community.html>

Let Boston Decide Tsarnaev's Fate, THE NEW YORK TIMES (January 7, 2015)
<http://www.nytimes.com/roomfordebate/2015/01/07/when-a-local-jury-wont-do/let-boston-decide-tsarnaevs-fate>

No Deal: Should Prosecutors Be Forced to Have Their Deals Approved By Plea Juries?, SLATE (April 7, 2015) (article by Leon Nefakh about scholarship)
<https://slate.com/news-and-politics/2015/04/plea-bargains-should-prosecutors-be-forced-to-have-their-plea-bargains-approved-by-juries.html>

SELECTED PRESENTATIONS

The Treatment-Industrial Complex, 10th Annual CrimProf Conference, Brooklyn Law School (July 13 – 14, 2019)

Opioids, Addiction Treatment, and the Long Tail of Eugenics, Opioids and Sentencing Conference, Ohio State Law School (October 27, 2018)

The Captive Lab Rat: Human Medical Incarceration and the Carceral State, 9th Annual CrimProf Conference, Cardozo Law School (July 12-13, 2018)

Cash Register Justice in the Criminal System, Arkansas Bar Annual Meeting, Hot Springs, AK (June 14, 2017)

Cashing in on Convicts: Private Prisons, Punishment, and the People, Faculty Workshop, St. John's University School of Law (January 23, 2017)

Constitutional Foundations and Community Voice, Democratizing Criminal Law, Northwestern University Law School (November 17– 18, 2016)

Prison Profiteers: Private Prisons, Punishment, and the Community, Seventh Annual CrimProf Conference, Cardozo Law School (July 12, 2016)

What the Sixth Amendment Can Teach the Fifth: Confessions, Community and Miranda, Miranda at 50 Symposium, NKU Chase College of Law (February 26, 2016)

Defending the Jury, Faculty Workshop, Lewis & Clark Law School (February 16, 2016)

Private Payments, Public Penalties, Sixth Annual CrimProf Conference, Cardozo Law School (July 20, 2015)

Gothic Stories, Mens Rea, and Nineteenth-Century American Criminal Law, 2015 Annual Meeting, ASLCH, Georgetown Law School (March 8, 2015)

Defining Community in the 21st century: Cities, Counties and Collective Action, Fifth Annual CrimProf Conference, Rutgers-Newark Law School (July 21, 2014)

Oscar Wilde: "Crime," Shifting Public Opinions, and the Enticing Danger of Community Support, Oscar Wilde & the Law Symposium, Tulsa Law School (Nov. 7 & 8, 2013).

Bail, Jail and Criminal Justice, AALS Mid-Year Meeting for Criminal Justice, San Diego, CA (June 8, 2013)

Justice in the Shadowlands: Pretrial Detention, Punishment, & the Sixth Amendment, Fourth Annual Southwest Criminal Law Conference, UNLV Boyd School of Law (September 8, 2012)

Justice in the Shadowlands: Pretrial Detention, Punishment, & the Sixth Amendment, Criminal Justice: Pretrial Procedures Panel, 2012 Law & Society (June 7, 2012)

Justice in the Shadowlands: Bail, Jail and Extralegal Punishment, Fourth Annual Sentencing & Reentry Institute and Legal Educators Colloquium (October 27, 2011)

Moderator and Commentator, *Plenary: A New Look at Prosecutorial Discretion*, National Association of Sentencing Commissions Annual Conference, Portland, OR (August 2, 2011)

The Community Right to Counsel, Faculty Workshop, Seton Hall University Law School (February 22, 2011)

The Community Right to Counsel, Faculty Forum, University of Cincinnati Law School (October 20, 2010)

Moderator and Commenter, Young Criminal Law Scholars Workshop, Vanderbilt Law School (January 29-30, 2010)

The Plea Jury, Fourth Annual Junior Criminal Professor Conference, George Washington University Law School (August 8, 2008)

Moderator, *Evidence-Based Practices in Sentencing*, “Building Bridges: Philosophy, Policy and Performances,” National Association for Sentencing Commissions, Stanford Law School (August 3, 2008)

Retributive Justice and Hidden Sentencing, 2008 Law & Society Meeting (June 1, 2008)

The Lost Meaning of the Jury Trial Right, Colloquium on Law & Citizenship, SMU Dedman School of Law (January 13, 2008)

The Lost Meaning of the Jury Trial Right, Faculty Workshop, Hofstra Law School (October 8, 2007)

The Lost Meaning of the Jury Trial Right, Third Annual Junior Criminal Professor Conference, George Washington University Law School (August 10, 2007)

LEGAL EXPERIENCE

Law Clerk to Hon. A. Wallace Tashima, Ninth Circuit, 1998-99

Appellate Counsel, Center for Appellate Litigation, New York, NY, 2000-05

SELECTED UNIVERSITY SERVICE

University Research Integrity Officer, 2020 - present

Chair, Academic Affairs, 2019-2020

Chair, Personnel and Tenure Committee, 2017-18, 2014-15

Chair, Faculty Recruitment Committee, 2015-16, 2013-14

Chair, Speakers Committee, 2015-20

University Leadership, Research and Grants Committee, 2017-18

Law Dean Search Committee, 2012-13

Chair, Workshop & Speakers Committee, 2009-2012

OTHER PROFESSIONAL ACTIVITIES

Steering Committee, Yale Law School Alumni Group, Portland, OR

Yale Law School, Class of 1998 Reporter, 2011 - 2019

Co-Founder and Moderator, Northwest Junior Law Faculty Forum, 2006-2011

New York Bar (2000)