

# CATHERINE M. GROSSO

417 LAW COLLEGE BUILDING • EAST LANSING, MI 48824-1300  
(517) 432-6962 • GROSSO@LAW.MSU.EDU

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## EDUCATION

**University of Iowa College of Law**, J.D., 2001, with High Distinction

Honors: Order of the Coif

Distinguished Student Leader at the University of Iowa (2001)

Antonia “D.J.” Miller Award for Advancement of Human Rights (2001)

**Earlham College (Richmond, Ind.)**, B.A., 1990, International Studies (Middle East Concentration); College and Departmental Honors

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## TEACHING

**Michigan State University College of Law**

Assistant Professor, August 2008-June 2011

Associate Professor, July 2011-present

**University of Illinois College of Law**, Visiting Assistant Professor, September 2005–May 2008.

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## PUBLICATIONS & MANUSCRIPTS IN PRESS

*A Stubborn Legacy: The Overwhelming Importance of Race in Jury Selection in 173 Post-Batson North Carolina Capital Trials*, First Author with Barbara O’Brien. IOWA LAW REVIEW (forthcoming 2012).

*Statistical Proof of Racial Discrimination in the Use of Peremptory Challenges: The Impact and Promise of the Miller-El Line of Cases, As Reflected in the Experience of One Philadelphia Capital Case*, Second Author with David C. Baldus (deceased at time of final drafting and publication), Robert Dunham, George Woodworth & Richard Newell. IOWA LAW REVIEW (forthcoming 2012).

*Confronting Race: How A Confluence of Social Movements Convinced North Carolina to Go Where the McCleskey Court Wouldn’t*, Barbara O’Brien & Catherine Grosso. MICH. ST. L. REV. (forthcoming 2012).

*Racial Discrimination in the Administration of the Death Penalty: The Experience of the United States Armed Forces (1984-2005)*, David C. Baldus, George Woodworth, Catherine M. Grosso & Richard Newell. 101 J. CRIM. L. & CRIMINOLOGY (forthcoming Winter 2012).

*The Role of Intimacy in the Prosecution and Sentencing of Capital Murder Cases in the United States Armed Forces, 1984-2005*, Catherine M. Grosso, David Baldus & George Woodworth. 40 N.M. L. REV. 273 (2010).

*The Impact of Civilian Aggravating Circumstances on the Military Death Penalty: Another Chapter in the Resistance of the Armed Forces to the Civilianization of Military Justice, 1984-2005*, Catherine M. Grosso, David C. Baldus & George Woodworth. 43 U. MICH. J.L. REFORM 569 (2010).

*Empirical Studies of Race and Geographic Discrimination in the Administration of the Death Penalty: A Primer on the Key Methodological Issues*, David Baldus, George Woodworth, Neil Alan Weiner, David Zuckerman, and Catherine M. Grosso. In *THE FUTURE OF AMERICA'S DEATH PENALTY: AN AGENDA FOR THE NEXT GENERATION OF CAPITAL PUNISHMENT RESEARCH* (Charles S. Lanier, William J. Bowers, and James Acker eds.) (Durham, N.C.: Carolina Acad. Press 2009).

*James Skelly Wright*, *ENCYCLOPEDIA OF THE SUPREME COURT* (2008).

*Race and Proportionality Since McCleskey v. Kemp* (1987): *Different Actors with Mixed Strategies of Denial and Avoidance*, David C. Baldus, George Woodworth, and Catherine M. Grosso. 39 COLUM. HUM. RTS. L. REV. 143 (2007).

*Arbitrariness and Discrimination in the Administration of the Death Penalty: A Legal and Empirical Analysis of the Nebraska Experience (1973–1999)*, David C. Baldus, George Woodworth, Catherine M. Grosso, and Aaron M. Christ. 81 NEB. L. REV. 486 (2002).

*International Law in the Domestic Arena: The Case of Torture in Israel*, Catherine M. Grosso. 86 IOWA L. REV. 305 (2000).

*Mapping Work and Outcomes: Participatory Evaluation of the Farm Preservation Advocacy Network*, Cornelia Butler Flora & Catherine M. Grosso. 1 SOC. PRAC. 133–155 (1999).

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## GENERAL EMPLOYMENT

**Wilmer, Cutler, Pickering, Hale & Dorr, LLP** (now WilmerHale LLP), Associate, Litigation Department, Washington, D.C., October 2002–October 2004

**Judge Frank E. Schwelb, District of Columbia Court of Appeals**, Judicial Clerk, Washington, D.C., August 2001–August 2002

**Wilmer, Cutler, & Pickering** (now WilmerHale LLP), Summer Associate, Washington, D.C., May 2000–August 2000

**Council of the District of Columbia, Committee on Consumer and Regulatory Affairs, Councilmember Sharon Ambrose**, Summer Legislative Clerk, Washington, D.C., May 1999–August 1999

**North Central Regional Center for Rural Development, Iowa State University**, Research Associate, Ames, Iowa, September 1997–August 1998

**Human Rights Action Project, Birzeit University**, Project Coordinator, West Bank, Palestinian Authority, November 1994–August 1997

**Middle East Council of Churches, Jerusalem Liaison Office**, Liaison, East Jerusalem, January 1993–October 1994

**Middle East Institute, Middle East Journal**, Editorial Assistant, Washington, D.C., August 1990–December 1992

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**PRESENTATIONS**

- “A Significant Factor: Evidence of Discrimination Against Native American Capital Defendants in North Carolina, 1990-2009”: Talk presented with Barbara O’Brien at Law and Society Association Annual Conference, June 1-4, 2011 (San Francisco).
- “Ready to Listen: The North Carolina General Assembly’s Decision to Go Where *McCleskey* Wouldn’t and *Batson* Couldn’t”: Talk presented with Barbara O’Brien at Law and Society Association Annual Conference, June 1-4, 2011 (San Francisco).
- “A Stubborn Legacy: The Overwhelming Importance of Race in Jury Selection in 173 Post-Batson North Carolina Capital Trials.” Talk presented with Barbara O’Brien at *Batson at Twenty-Five: Perspectives on the Landmark, Reflections on its Legacy*, University of Iowa Law Review Symposium. October 20, 2011 (Iowa City, IA).
- “Statistical Proof of Racial Discrimination in the Use of Peremptory Challenges: The Impact and Promise of *Miller-El v. Cockrell* (2003) with an Application in One Philadelphia Capital Case”: Talk presented on behalf of David Baldus with Robert Dunham and George Woodworth at *Batson at Twenty-Five: Perspectives on the Landmark, Reflections on its Legacy*, University of Iowa Law Review Symposium. October 20, 2011 (Iowa City, IA).
- “The North Carolina Racial Justice Act Study: Preliminary Findings on the Role of Race in the North Carolina Capital Punishment System”: Invited presentation with Barbara O’Brien at American Society of Criminology 2010 Annual Meeting, November 17-20, 2010 (San Francisco) (scheduled).
- “Reaching Around the Norm: State Movements to Abolish the Death Penalty and the Horizontality of Human Rights”: Presentation at Midwest Law & Society Retreat at University of Wisconsin, Institute for Legal Society, October 8-9, 2010 (scheduled).
- “Reaching Around the Norm: State Movements to Abolish the Death Penalty and the Horizontality of Human Rights”: Presented at MSU College of Law Summer Research Workshop, June 18, 2010.
- “The North Carolina Racial Justice Act Study: Preliminary Findings on the Role of Race in the North Carolina Capital Punishment System”: Talk presented with Barbara O’Brien at Law and Society Association Annual Conference, May 29, 2010 (Chicago).
- “The Impact of U.S. (domestic) Criminal Procedure Law on the Ban on Torture”: Presented at MSU Journal of International Law Symposium, February 19, 2010.
- “The North Carolina Racial Justice Act Projects”: Presented with Barbara O’Brien as part of MSU College of Law Faculty “Half-Baked” Workshop, February 16, 2010.
- “Reaching Around the Norm: State Movements to Abolish the Death Penalty and the Horizontality of Human Rights”: Invited presentation at University of St. Thomas School of Law, January 29, 2010.
- “Military Murder versus Civilian Murder: The Impact of Conventional Civilian Aggravators on Military Death Sentencing, 1984-2005”: Talk presented at Law and Society Association Annual Conference, May 28-31, 2009 (Denver).

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“The Role of Intimacy in the Prosecution and Sentencing of Capital Murder Cases in the United States Armed Forces, 1984-2005”: Talk presented at Law and Society Association Annual Conference, May 29-June 1, 2008 (Montreal).

“Life and Death Decisions: Prosecutorial Discretion and Capital Punishment in Missouri”: Invited critique of an empirical research project at a conference of the same name, St. Louis University Law School, March 2, 2007.

“Equal Justice in the Administration of the Death Penalty: The Experience of the United States Armed Forces, 1984–2005”: Peer-reviewed paper presented, with David Baldus, at the First Annual Conference on Empirical Legal Studies, University of Texas School of Law, October 27–28, 2006.

“Equal Justice and the Death Penalty: The Experience of the United States Armed Forces: 1984–2005”: Talk presented by invitation, with David Baldus, at the Race and the Death Penalty Conference, Harvard Law School Institute for Race and Justice, May 5–6, 2006.

“Military Death Penalty: Initial Findings”: Talk presented, with David Baldus, at the University of Illinois College of Law, April 17, 2006.

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#### **RECENT MEDIA APPEARANCES & MENTIONS** (by date)

*The Military and the Death Penalty* (Editorial), New York Times, August 31, 2011

Marisa Taylor, *Study: Racial Disparities Taint Military's Use of Death Penalty*, MCCLATCHY NEWSPAPERS, August 28, 2011 (picked up by other papers)

[Numerous articles like those below concerning the North Carolina Racial Justice Act.]

Kenneth Jost, *Death Penalty Debates*, CQ RESEARCHER, Vo. 20, No. 41 (Nov. 19, 2010), at 967.

Amanda Lamb, *Death Penalty Opponents Cite N.C. Lab Concerns*, WRAL-TV, August 30, 2010.

Michael Hewlett, *Keith To Help DA's Fight Racial-Bias Claims*, WINSTON-SALEM JOURNAL, August 30, 2010.

Anne Blythe, *NAACP, Scholars Support Inmates' Racial Bias Claims*, THE NEWS & OBSERVER, August 26, 2010.

*Killer Issue*, THE ROBESONIAN, August 25, 2010.

Anne Blythe, *Audit Spurs Death-Penalty Protest*, THE NEWS & OBSERVER, August 24, 2010.

Matthew Robinson, *The Race To Execute Fills N.C. Death Row*, CITIZEN TIMES, August 20, 2010.

Veronica Gonzalez, *Prosecutors Struggle To Respond to Death Appeals*, WILMINGTON STAR NEWS, August 20, 2010.

Donna Swicegood, *Jury Selection Forum Delves Into Process*, STATESVILLE RECORD & LANDMARK, August 20, 2010.

Colin Campbell and Anne Blythe, *Inmates Seeking Reprieve, Seven on Death Row Claim Racial Bias Under New Law*, THE HERALD-NC, August 18, 2010.

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Michael Hewlett, *Experts: Reverse-Bias Claim a Legitimate Point*, WINSTON-SALEM JOURNAL, August 14, 2010.

Drew Brooks, *State's Death Row Challengers Grow*, THE FAYETTEVILLE OBSERVER, August 13, 2010.

*Editorial: Death Penalty in Knots*, NEWS & RECORD, August 13, 2010.

Scott Jenkins, *Four On Death Row File Claims*, SALISBURY POST, August 13, 2010.

Ashley Brown, *MSU Law Professors Believe Race Might Factor Into Death Penalty*, THE STATE NEWS, August 12, 2010.

Richard Gould, *Catawba County Death Row Duo Cry Racism*, HICKORY DAILY RECORD, August 12, 2010.

Nancy McLaughlin, *N.C. Death Row Inmates Allege Racial Bias*, NEWS & RECORD, August 12, 2010.

Drew Brooks, *Bias Law Throws Wrench In System*, FAYETTEVILLE OBSERVER, August 12, 2010.

Julia Bagg, *Victim's Father: Racial Justice Act is Injustice To Humanity*, WFNY NEWS, August 12, 2010.

Sommer Brokaw, *Death Row Inmates Appeal for Life Under RJA*, THE TRIANGLE TRIBUNE, August 12, 2010.

Elliot Cramer, *Racial Justice Act Misguided*, THE CHAPEL HILL NEWS, August 11, 2010.

*Racial Justice Act Opens Floodgate to Challenger*, ROCKY MOUNT TELEGRAM, August 11, 2010.

Doug Clark, *Officially a Travesty*, NEWS & RECORD, August 11, 2010.

*Racial Justice Act Opens Floodgate to Challenges*, ROCKY MOUNT TELEGRAM, August 11, 2010.

*Registering for Racial Justice*, THE HERALD-SUN, August 11, 2010.

Ashley Brown, *MSU Law Professors Believe Race Might Factor into Death Penalty*, MSU STATE NEWS, August 11, 2010.

Elliot Cramer, *Racial Justice Act Misguided*, THE NEWS & OBSERVER, August 11, 2010.

Michael Hewlett, *Bias Filings Include a Twist*, WINSTON SALEM JOURNAL, August 11, 2010.

*Pursuing Appeals*, WINSTON SALAM JOURNAL, August 11, 2010.

Michael Carter, *Even in Death, Separate and Unequal*, ASHEVILLE CITIZEN TIMES, August 11, 2010.

Malcolm Hunter & Ken Rose, *A Trailblazing Act of Racial Justice*, THE DURHAM NEWS, AUGUST 11, 2010.

*Editorial – We Need To Know If Race Plays A Role In Sentencing*, WILMINGTON STAR NEWS, August 11, 2010.

Anne Blythe, *119 On Death Row Allege Bias*, THE NEWS & OBSERVER, August 11, 2010.

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Anne Blythe, *Racial Mix of Jury Pool Criticized*, THE NEWS & OBSERVER, August 11, 2010.

Veronica Gonzalez, *Bias Claim Filings of Death Row Inmates Grow*, WILMINGTON STAR NEWS, August 10, 2010.

*Blanche Moore Among 119 Death Row Inmates Who Have Filed Claims*, THE ASSOCIATED PRESS, August 10, 2010.

Cassandra Stubbs, *Can the Racial Justice Act Change the Practice of Picking All-White Juries in North Carolina?*, FDL THE SEMINAL, August 10, 2010.

*Durham Death Row Inmate Wants Death Sentence Commuted*, WTVD-TV, August 10, 2010.

Carol Turowski, *Race Factor in Death Sentences*, THE HUFFINGTON POST, August 9, 2010.

Veronica Gonzalez, *Appeals Alleging Racial Bias Filed*, WILMINGTON STAR NEWS, August 9, 2010.

Veronica Gonzalez, *Racial Disparity Remains Wide in Death Sentences*, WILMINGTON STAR NEWS, August 8, 2010.

Veronica Gonzalez, *Defenders Turn to Racial Justice Act in Altman Murder Case*, WILMINGTON STAR NEWS, August 8, 2010.

*Death-Penalty Bias*, WINSTON-SALEM JOURNAL, August 8, 2010.

*Colors of Justice*, THE NEWS & OBSERVER, August 8, 2010.

Scott, Sexton, *One Juror Feels Certain Race Wasn't a Factor*, WINSTON-SALEM JOURNAL, August 8, 2010.

Jennifer Thompson & Ronald Cotton, *Mistaken Conviction Leads to Regret*, WINSTON-SALEM JOURNAL, August 7, 2010

Michael Hewlett, *Attorneys Ask to Consolidate Inmates Cases*, WINSTON-SALEM JOURNAL, August 5, 2010.

Sarah Ovaska, *Three Death Row Inmates Want One Judge to Hear Cases*, THE NEWS & OBSERVER, August 5, 2010.

Cullen Browder, *DA: Bias Claims in Death Cases Could Clog Courts*, WRAL, August 4, 2010.

Anne Blythe, *Five on Death Row Claim Bias*, THE NEWS & OBSERVER, AUGUST 4, 2010

Anne Blythe, *Five Death Row Inmates See New Sentences, Claim Racial Bias*, THE NEWS & OBSERVER, August 4, 2010.

Stephanie Carroll Carson, *North Carolina Death Row Inmates Fight Sentencing*, NORTH CAROLINA PUBLIC NEWS SERVICE, August 4, 2010.

Michael Hewlett, *5 Inmates Want Off of Death Row*, WINSTON-SALEM JOURNAL, August 4, 2010.

Sarah Ovaska, *Five on Death Row Claim Bias*, THE NEWS AND OBSERVER, August 4, 2010.

*The Five Who Filed*, THE NEWS AND OBSERVER, August 4, 2010.

Mary Anderson, *Rouse Seeks New Sentence*, COURIER-TRIBUNE, August 4, 2010.

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Sarah Ovaska, *Five Death Row Inmates Seek New Sentences, Claim Racial Bias*, THE NEWS & OBSERVER, August 3, 2010.

Herbert L. White, *Death Penalty Goes on Trial*, THE CHARLOTTE POST, August 3, 2010.

Rob Schofield, *Five Racial Justice Act Claims Filed Today*, THE PROGRESSIVE PULSE, August 3, 2010.

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### **PROFESSIONAL MEMBERSHIPS**

American Bar Association, ABA Criminal Justice Section, ABA Section of Individual Rights and Responsibilities, Law and Society Association, Society for Empirical Legal Studies, Society of American Law Teachers

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### **BAR MEMBERSHIP**

District of Columbia, Virginia (inactive)

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