

W. DAVID BALL
Santa Clara School of Law
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Santa Clara, CA 95053
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EXPERIENCE

ASSOCIATE PROFESSOR, Santa Clara Law School, Santa Clara, CA 2015-Present
Teach classes in Criminal Law, Criminal Procedure, Sentencing and Corrections.
Social Justice Professor of the Year, 2016

ASSISTANT PROFESSOR, Santa Clara Law School, Santa Clara, CA 2009-2015
1L Professor of the Year, 2013

VISITING PROFESSOR, Berkeley Law School, Berkeley, CA Spring 2013
Taught large section of first-year Criminal Law.

VISITING PROFESSOR, Stanford Law School, Stanford, CA Spring 2012
Taught seminar in Islamic Law.

RESEARCH FELLOW, Stanford Criminal Justice Center, Stanford, CA 2007-2009
Inaugural full-time Research Fellow at SCJC: responsible for program development and supervising and coordinating legal and policy research.

SOCIAL JUSTICE TEACHING FELLOW, Santa Clara School of Law, Santa Clara, CA 2007- 2008

LAW CLERK, The Honorable John T. Noonan, Jr., U.S. Court of Appeals for the Ninth Circuit, San Francisco, CA 2006-07

EDUCATION

STANFORD LAW SCHOOL, Stanford, CA J.D. with Academic Distinction, 2006
Teaching Assistant in Constitutional Law, Dean Larry Kramer

OXFORD UNIVERSITY, Oxford, England BA/MA, 1994
Rhodes Scholar

THE UNIVERSITY OF NORTH CAROLINA, Chapel Hill, NC B.A. 1992
B.A. with Highest Distinction: Major in History, Minor in Japanese, Honors in Creative Writing
Phi Beta Kappa, Morehead Scholar, National Merit Scholarship, North Carolina Fellows Program

WRITING

Published/Accepted Papers

The Plausible and the Possible: How Bayesian Analysis can help with Reasonable suspicion, Am. J. Crim. L. (Forthcoming 2017)

Pay-for-Performance in Prisons: Using Healthcare Economics to Improve Criminal Justice, U. Den. L. Rev. (Forthcoming 2017).

"A False Idea of Economy": Costs, Counties, and the Origins of the California Correctional System, 664 Ann. Am. Acad. Poli. Sci. 26 (March 2016).

Redesigning Sentencing, 46 McGeorge L. Rev. 817 (2014).

Why State Prisons? 33 Yale L. & Pol'y Rev. 75 (2014).

Defunding State Prisons, 50 Crim. L. Bull 1060 (2014).

Tough on Crime (on the State's Dime): How Violent Crime Does Not Drive California Counties' Incarceration Rates - And Why it Should, 28 Ga. St. L. Rev. 987 (2012).

The Civil Case at the Heart of Criminal Procedure: In re Winship, Stigma, and the Civil-Criminal Distinction, 38 Am. J. Crim. L. 117 (2011).

Normative Elements of Parole Risk, 22 Stan. L. & Pol'y Rev. 395 (2011).

E Pluribus Unum: Data and Operations Integration in the California Criminal Justice System, 21 Stan. L. & Pol'y Rev. 277 (2010).

Heinous, Atrocious, and Cruel: Apprendi, Indeterminate Sentences, and the Meaning of Punishment, 109 Colum. L. Rev. 893 (2009).

Mentally Ill Prisoners in the California Department of Corrections and Rehabilitation: Strategies for Improving Treatment and Reducing Recidivism, 24 J. Contemp. Health L. & Pol'y 1 (2007).

Other Publications

W. David Ball, "A Better Bail Bond System," Daily Journal Sep. 29, 2016.

W. David Ball, "Design thinking and mass incarceration (or why we need a prison tax)," Casetext.com, 9/4/15.

W. David Ball, "Why marijuana is not the most interesting thing about my drug policy class," Santa Clara Lawyer Magazine, Spring 2015.

W. David Ball, *Categorizing Nebraska suit to invalidate Colorado marijuana law*, JURIST - Academic Commentary, Mar. 17, 2015, <http://jurist.org/academic/2015/03/david-ball-marijuana-law.php>.

W. David Ball, "Bring Back the Opium Den," USA Today, 2/11/2015.

W. David Ball & Robert Weisberg, *The New Normal? Prosecutorial Charging in California After Public Safety Realignment* (2014).

W. David Ball, *A New Approach to Marijuana Regulation: In Support of a Potency Tax*, JURIST - Forum, Apr. 17, 2014, <http://jurist.org/forum/2014/04/w-david-ball-marijuana-potency.php>.

W. David Ball & Robert Weisberg, *Criminal Justice Information Sharing: A Legal Primer For Criminal Justice Practitioners In California* (2010), http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2141523.

W. David Ball, "Time for Cost-Benefit Analysis on Crime," Daily Journal, 10/15/2010.

W. David Ball, *Criminal Justice Information Sharing: Enhancing Early Intervention, Measuring Results*, available at http://www.law.stanford.edu/program/centers/scjc/pdf/120707_Report_and_Analysis_lr.pdf.

W. David Ball & Kara Dansky, *Coordination at the Front-End of Sentencing: The Judiciary, Probation, and the Pre-Sentencing Report*, http://www.law.stanford.edu/program/centers/scjc/pdf/Crim_030708_Report_lr_071008.pdf.

W. David Ball, *County to County, Agency to Agency: Information Sharing and Operational Collaboration in the Bay Area and Southern California*, available at http://www.law.stanford.edu/program/centers/scjc/pdf/June_Report_for_web_lr.pdf.

W. David Ball et al., *The First 72 Hours of Re-Entry: Seizing the Moment of Release*, available at http://www.law.stanford.edu/program/centers/scjc/pdf/Seizing_the_Moment_Release_091208.pdf.

W. David Ball et al., *Catch and Release: Using Risk-Needs Assessment to Manage Local Custodial Populations*, available at http://www.law.stanford.edu/program/centers/scjc/pdf/Dec_2008_report.pdf.

EXTERNAL PRESENTATIONS

PANELIST, "Justice Reinvestment at the State Level" University of Denver Law School Justice Reinvestment Symposium, Denver, CO	February 2017
ATTENDEE, White House Convening on Criminal Justice Washington, D.C.	November 2016
PRESENTER, Southwest Criminal Law Workshop UNLV Boyd School of Law, Las Vegas, NV	November 2016
ATTENDEE, Bail Reform Strategy Meeting Sacramento, CA	September 2016
PANELIST, "Pretrial: Conditions/Bail/Fines and Fees" UCLA Law School Prisoners' Rights Conference, Los Angeles, CA	September 2016
PANELIST, Bail Reform Assembly Select Committee on the Status of Boys and Men of Color in California, Oakland, CA	July 2016
PANELIST, Rationing Criminal Justice Law & Society Annual Meeting, New Orleans, LA	June 2016
PANELIST, The Horizontal-Federalism Implications of Marijuana Legalization Law & Society Annual Meeting, New Orleans, LA	June 2016
PRESENTER, "Pay-for-Performance in Prisons: Using Healthcare Economics to Improve Criminal Justice" Stanford Criminal Justice Roundtable, Stanford, CA	April 2016
WITNESS TESTIMONY, Santa Clara Bail and Pretrial Working Group Santa Clara, CA	February 2016
PRESENTER, Bail Assemblymember Rob Bonta Annual Staff Retreat, Oakland, CA	December 2015
SPEAKER, "Redesigning Sentencing" Stanford Law School, Stanford, CA	October 2015
PANELIST, Forum with Michael Krasny: "State Lawmakers Pass Comprehensive Bills to Regulate Medical Marijuana" KQED, San Francisco, CA	September 2015
PANELIST, Forum with Michael Krasny: "What if California Legalized Marijuana?" KQED, San Francisco, CA	April 2015
MODERATOR, Blue Ribbon Commission on Marijuana Law and Policy UCLA, Los Angeles, CA	April 2015
GUEST, The Jim Bohannon Show, "Defunding State Prisons" (Nationally Syndicated)	March 2015
PANELIST, "California Sentencing Commission Symposium" McGeorge School of Law, Sacramento, CA	November 2014
PANELIST, "Realigning California Corrections" U.C. Irvine, Irvine, CA	October 2014
DISCUSSANT, "Prison Law & Policy Roundtable" UCLA School of Law, Los Angeles, CA	October 2014
PANELIST, Insight with Beth Ruyak Radio Show: "Mass Incarceration and Sacramento District Attorney Race Issues" Capital Public Radio, Sacramento, CA	June 2014

PANELIST, "The Emerging Role of County Criminal Justice Systems: Opportunities and Challenges for Reform"
 Making Use of Alternatives to Custody (Technical Assistance for LA Officials), Los Angeles, CA November 2013

PANELIST, Your Call Radio Show: "What are the best ways to reduce California's prison population?"
 KALW Radio, San Francisco, CA November 2013

PANELIST, "Best Practices: an Overview of Reentry and Realignment Research"
 Reentry and Reintegration: New Hope (State Sens. Loni Hancock and Bill Quirk), Oakland, CA October 2013

PANELIST, "Civic Innovation"
 Office of Mayor Eric Garcetti, Los Angeles, CA October 2013

PANELIST, "Evaluating the California Criminal Justice Realignment"
 West Coast Law & Society Retreat, Seattle, WA September 2013

DISCUSSANT, Southwest Criminal Law Workshop
 U.C. Davis School of Law, Davis, CA September 2013

PANELIST, "Pathways to the Legal Academy"
 Stanford Law School, Stanford, CA April 2013

PRESENTER, "Defunding State Prisons"
 U. of Michigan Prison Scholarship Roundtable, Ann Arbor, MI January 2013

DISCUSSANT, "Prosecutorial Elections, Mistakes, and Appeals"
 Conference on Empirical Legal Studies, Stanford, CA November 2012

PRESENTER, "Tough on Crime (on the State's Dime)"
 Loyola Law School, Los Angeles, CA October 2012

PRESENTER, "Tough on Crime (on the State's Dime)"
 Public Policy Institute of California, San Francisco, CA April 2012

MODERATOR, "Effects of Realignment on the Court System" and "Realignment - How Are We Measuring Success?"
 Association of Criminal Justice Researchers, Sacramento, CA March 2012

PRESENTER, "Tough on Crime (on the State's Dime): What California Counties' Prison Usage from 2000-09 Tells Us About
 How to Implement Realignment."
 Partnership for Community Excellence, Sacramento, CA February 2012

PANELIST, "Prison Populations & Sentencing Reform"
 Georgia State Law Review Symposium, Atlanta, GA January 2012

PRESENTER, "Tough on Crime (on the State's Dime)"
 University of Utah School of Law, Salt Lake City, UT November 2011

MODERATOR, "Three Strikes and You're Out?"
 U.C. Davis School of Law, Davis, CA October 2011

PRESENTER, "What Does Islamic Law Say About ____? (What is Islamic Law, Anyway, and How Can it Say Anything?)"
 Stanford Law School, Stanford, CA October 2011

PRESENTER, "State Prisons"
 ABA/AALS Academic Roundtable, Washington, D.C. October 2011

MODERATOR, "Jihad Re-examined: Islamic Law and International Law"
 Santa Clara Law School, Santa Clara, CA February 2011

DISCUSSANT, "Roundtable Discussion: Religion and International Law"
 Santa Clara Law School, Santa Clara, CA February 2011

PRESENTER, "Cream of the Crop: Striving for Excellence" Young American Muslim Leadership Conference, San Ramon, CA	November 2010
PRESENTER, "The Case Against State Prisons" University of Oregon School of Law, Eugene, OR	October 2010
PRESENTER, "Civil, Criminal, or Mary Jane," Southwest/West Junior Law Faculty Workshop, Arizona State University, Tempe, AZ	March 2010
PRESENTER, "Civil, Criminal, or Mary Jane," USF School of Law, San Francisco, CA	November 2009
PRESENTER, "Going on the Job Market" Stanford Law School Fellows Program, Stanford, CA	October 2009
PRESENTER, "Supreme Court Criminal Cases: the Year in Review" Northern District of California CJA Panel Conference, San Francisco, CA	June 2009
PRESENTER, "Criminal Justice Information Sharing" California Criminal Justice Information Sharing Task Force, Sacramento, CA	May 2009
DISCUSSANT, "DNA Profiling Task Force" Ella Baker Center for Human Rights, Oakland, CA	April 2009
MODERATOR, "Neuroscience and Criminal Procedure" Stanford Law and Technology Review Symposium, Neuroscience and the Courts	February 2009
PANELIST, "Sentencing Policy for Mentally Ill Offenders" National Association of Sentencing Commissions Annual Conference, San Francisco, CA	August 2008
MODERATOR, "Capacity and the Nationalization of Prison Overcrowding" National Association of Sentencing Commissions Annual Conference, San Francisco, CA	August 2008
PANELIST, "Islamic Jurisprudence and American Law" National Association of Muslim Lawyers Annual Conference, San Francisco, CA	November 2007
<u>INTERNAL PRESENTATIONS</u>	
SPEAKER, Markkula Center, Ethics Discussion Group, "Marijuana Legalization" Santa Clara University, Santa Clara, CA	October 2016
PANELIST, "Assessment" Santa Clara Law School, Santa Clara, CA	September 2015
SPEAKER, "The New Jim Crow" Santa Clara Law School, Santa Clara, CA	November 2014
PANELIST, "Managing Law School Stress" Santa Clara Law School, Santa Clara, CA	October 2014
PANELIST, "Judicial Clerkships" Santa Clara Law School, Santa Clara, CA	February 2014
PANELIST, "Gideon: 50 Years Later" Santa Clara Law School, Santa Clara, CA	March 2014
PANELIST, "Judicial Clerkships" Santa Clara Law School, Santa Clara, CA	March 2013

PRESENTER, “Islamic Law” Santa Clara Law School, Santa Clara, CA	September 2011
PRESENTER, “Islamic Law” Santa Clara Undergraduate Muslim Students’ Association, Santa Clara, CA	April 2011
PANELIST, “Ethics and Faith” Santa Clara Law School, Santa Clara, CA	November 2010
PANELIST, “First Year Exam Writing” Santa Clara Law School, Santa Clara, CA	October 2010
MODERATOR, “Yasir Afifi and GPS Surveillance” Santa Clara Law School, Santa Clara, CA	October 2010
PRESENTER, “Prisons” Santa Clara Law School, Santa Clara, CA	April 2010
PANELIST, “Law Professors are People, Too” Santa Clara Law School, Santa Clara, CA	August 2009
<u>MOOTS, REVIEWS, AMICUS BRIEFS</u>	
EXTERNAL SCHOLARSHIP REVIEWER, Dan Manville (Promotion), Michigan State School of Law	March 2016
PEER REVIEWER, “ <i>Identifying Effective County Correctional Strategies: The Need for Data</i> ” Public Policy Institute of California, San Francisco, CA	December 2013
AMICUS SIGNATORY, <i>In Re Electronic Privacy Information Center</i>	August 2013
AMICUS SIGNATORY, <i>ACLU v. Clapper</i>	August 2013
PEER REVIEWER, “ <i>A Reexamination of the Bail Reform Debate in California</i> ” Public Policy Institute of California, San Francisco, CA	March 2013
AMICUS SIGNATORY, <i>U.S. v. Davila</i>	March 2013
AMICUS SIGNATORY, <i>Valdivia v. Brown</i>	July 2013
MOOT PARTICIPANT, <i>California v. Walker</i> Santa Clara Law School, Santa Clara, CA	November 2010
MOOT PARTICIPANT, <i>City of Ontario v. Quon</i> Santa Clara Law School, Santa Clara, CA	April 2010
<u>OTHER PROFESSIONAL EXPERIENCE</u>	
CO-CHAIR, Corrections Committee, American Bar Association Criminal Justice Section	2010-present
CHAIR, Research Committee, Bail and Pretrial Working Group	2016-present
LEGAL OBSERVER, Guantanamo Bay	September 2016
CHAIR, Public Safety Working Group, Blue Ribbon Commission on Marijuana Law and Policy	2014-2015
DIRECTOR, Santa Clara Summer Program in Istanbul	2012-2015
ADVISORY BOARD MEMBER, Bill of Rights Defense Committee	2009-2014
BOARD MEMBER, Bay Area Association of Muslim Lawyers (BAAML), San Francisco, CA	2007-2011

