STEVEN F. SHATZ
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EDUCATION:

Legal: Harvard Law School, 1966-1969, J.D. *cum laude*
Honors: Harvard Legal Aid Bureau

College: University of California (Berkeley), 1963-1966, A.B.
Honors: *magna cum laude*, Phi Beta Kappa,
Regents Scholar

LAW TEACHING:

September, 1972 to present:

Philip and Muriel Barnett Professor, University of San Francisco School of Law (previously, Assistant Professor 1972-75, Associate Professor 1975-77, Professor 1977-88)

Courses taught:
Criminal Law, Criminal Procedure, Federal Courts, Death Penalty Law, Employment Discrimination, Remedies

Director, Keta Taylor Colby Death Penalty Project (2001-2013)
The Project was created in 2001 to involve students in work directed at the interim reform, and ultimate abolition, of the death penalty in America. The Project's principal activity has been the summer internship program which sends Bay Area students to the South to work with capital defense attorneys. As director, I select and train the internship students and arrange and review their placements. The Project also supports students in writing and publishing papers about death penalty law and practice in the South, and, to date, five students have published law review comments on issues encountered during their internships.

Director, U.S.F. Law Clinic (1986-92): The Clinic was an in-house law firm staffed by four faculty members and approximately 24 students per semester handling criminal, civil and administrative cases. In addition to being responsible for administration and fundraising for the Clinic, I supervised 4-6 students each semester handling federal civil rights cases or criminal appeals.

Co-counsel of record for Teddy Sanchez, a California prisoner under sentence of death, on his state appeal and petition for habeas corpus (1989-1996)

Co-author of *amicus* briefs in *Davis v. Bandemer*, 478 U.S. 109 1986) and *United Brotherhood of Carpenters v. Scott*, 463 U.S. 825 (1983)

Pro bono counsel to individual migrant farm workers and to the United Farm Workers of America, AFL-CIO in various cases, including *United Farm Workers v. Superior Court*, 16 Cal.3d 499 (1976) (1973-1983)

Co-founder and former supervising attorney, U.S.F. Criminal Law Clinic (supported by a CLEPR grant) (1972-73)

Fall, 1993, 1994

Lecturer, University of California School of Law (Boalt Hall)
I taught a first-year section of Criminal Law

May, 1991

Visiting Professor, East China Institute of Politics and Law, Shanghai, China
I taught a course in American Labor and Employment Law to Chinese post-graduate students. I also delivered a series of lectures on Anglo-American Criminal Law attended by faculty and students.

Spring, 1991

Visiting Professor, Hastings College of Law
I directed the Criminal Justice Clinic and planned the restructuring of the Clinic for the 1991-92 academic year. In the Clinic, I taught a 3-hour course in criminal practice, and I supervised the students' field placements in prosecution and defense agencies.

PUBLICATIONS:

Books

CASES AND MATERIALS ON THE DEATH PENALTY (1st, 2nd and 3rd eds) (Thomson/West, 2001, 2005, 2009) (with Nina Rivkind)

CALIFORNIA CRIMINAL LAW: CASES AND PROBLEMS (1st, 2nd and 3rd eds) (Lexis/Nexis, 1999, 2004, 2011)

Law Review Articles

Challenging the Death Penalty with Statistics: Furman, McCleskey, and a Single County Case Study, 34 CARDOZO L. REV. 1227 (2013) (with Terry Dalton)

Chivalry is not Dead: Murder, Gender, and the Death Penalty, 27 BERKELEY J. GEN., LAW & JUSTICE 64 (2012) (with Naomi R. Shatz)

The Eighth Amendment, the Death Penalty, and Ordinary Robbery-Burglary Murderers: A California Case Study, 59 FLA. L. REV. 719 (2007)

The California Death Penalty: Prosecutors' Use of Inconsistent Theories Plays Fast and Loose with the Courts and the Defendants, 36 U.S.F. L. REV. 853 (2002) (with Lazuli Whitt)

The California Death Penalty: Requiem for Furman? 72 N.Y.U. L. REV. 1283 (1997) (with Nina Rivkind)

The Strip Search of Children and the Fourth Amendment, 26 U.S.F. L. REV. 1 (1991) (with Molly Donovan and Jeanne Hong)

The Second Death of 42 U.S.C. Section 1985(3): The Use and Misuse of History in Statutory Interpretation, 27 B.C. L. REV. 911 (1986)

Picketing Injunctions in California: A Study of the Role of the Courts in Farm Labor Disputes, 28 HAST. L.J. 801 (1977)

California Criminal Discovery: Eliminating Some Anachronistic Limitations Imposed on the Defendant, 9 U.S.F. L. REV. 259 (1974)

Other Writings

Misconstruction of Reconstruction, Legal Times, April 5, 1993, at p. 26

Who Was Lynched? The Recorder, October 28, 1991, at p. 8

The State of State Immunity Under the Eleventh Amendment, 1 Fed. Lit. 155 (1986)

TESTIMONY:

Ashmus v. Wong, 93-CV-00594-TEH (N.D. Cal.) and *People v. Erskine*, SCD161640 (San Diego Sup. Ct.) – I was qualified as an expert witness in California criminal law and testified in court about my empirical research on the California death penalty.

California Commission on the Fair Administration of Justice (2008) – At the invitation of the Commission, I testified before the Commission and submitted written materials concerning death-eligibility under the California death penalty scheme. (See http://www.ccfaj.org/rr-dp-expert.html)

I have been an expert witness by affidavit in more than 150 California capital cases on the subject of my empirical research regarding the California death penalty. (1997-present)

I was an expert witness on empirical studies of the death penalty in *People v. Montour*, No. 02CR782 (Douglas Co.), No. 02CR95 (Lincoln Co.), a Colorado capital case. (2012)

I was retained by plaintiffs' counsel as an expert on California criminal law and submitted written testimony in the *Glendale Metrolink Derailment Cases*, No. BC 332426 (L.A. Sup. Ct.). (2008)

LAW PRACTICE:

January to July, 1990:

Of counsel to Remcho, Johansen & Purcell, San Francisco, California

The firm practices in the area of political law. My principal activity was to work on the trial and on the post-trial briefing in *Service Employees v. Fair Political Practices*, 747 F. Supp. 580 (E.D. Cal. 1990) (a First Amendment challenge to a campaign reform initiative). In addition, I worked on projects or cases involving the Voting Rights Act, reapportionment and various initiatives.

July, 1978 to July, 1980:

Directing Attorney of the Farm Worker Division of Evergreen Legal Services, Sunnyside, Washington

I administered a 12 person legal services office representing migrant and seasonal farm workers in civil proceedings and supervised six less experienced attorneys in a broad range of litigation, primarily: civil rights and employment discrimination actions, suits under federal worker protective legislation, tort suits and administrative appeals.

May, 1971 to September, 1972:
Partner in Rader & Shatz, Huntington Beach, California

The firm engaged in a general practice emphasizing criminal defense, general civil litigation, administrative law, labor law and employment discrimination law.

August, 1969 to May, 1971:
Reginald Heber Smith Community Lawyer Fellow with the Legal Aid Foundation of Long Beach, Long Beach, California

I represented indigent persons in civil litigation with an emphasis on landlord-tenant problems and civil rights issues.

BAR ADMISSIONS:

State of California, 1970
State of Washington, 1979
U.S. Supreme Court, 1996
U.S. Court of Appeals for the Ninth Circuit, 1971
U.S. District Courts in California and Washington