

Erik James Girvan

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Selected Employment Experience

University of Oregon School of Law, Eugene, Oregon

- *Professor, Bernard B. Kliks Professor of Law* (2023 – present)
- *Associate Professor, Tenured* (2017 – 2023)
- *Assistant Professor* (2012 – 2017)
 - Courses: Civil Procedure; Electronic Discovery; Psychology of Conflict; Race, Gender, Bias, & Law; Research Methods; Remedies
 - Program Affiliations: Appropriate Dispute Resolution Center (UO Law School); Educational & Community Supports, Center for Equity Promotion (UO College of Education)
- *Associate Dean for Academic Affairs* (2024 – present)
- *Associate Dean for Faculty Research & Programs* (2023 – 2024)
- *Executive Director, Law & Conflict Studies* (2022 – 2025)
- *Faculty Co-Director/Director, Conflict Resolution Master's Degree Program* (2015 – 2022)

Lund University, Lund, Sweden

- *Visiting Researcher* (remote), Pufendorf Institute for Advanced Studies (2022)

Pepperdine University School of Law, Malibu, California

- *Visiting Faculty*, Straus Institute for Dispute Resolution (Summers 2017 & 2018)

Faegre & Benson, LLP,¹ Minneapolis, Minnesota

- *Associate / Attorney, Business Litigation* (2002 – 2009)

Education

University of Minnesota, Minneapolis, Minnesota

Ph.D., Psychology, 2012

Concentrations Social and Political Psychology

Advisors Dr. Eugene Borgida and Dr. Marti H. Gonzales

Harvard Law School, Cambridge, Massachusetts

J.D., 2002

Activities Harvard Mediation Program, *Dir. of Advanced Mediation Training*
Harvard Human Rights Journal, *Submissions Editor*

University of Alaska Fairbanks, Fairbanks, Alaska

B.A., Political Science, *magna cum laude*, 1998

¹ Now Faegre Drinker Biddle & Reath LLP.

- 2026 +**Erik J. Girvan**, *Probabilistic Injury and Presumptions of Prejudicial Preferences*, 75 *DePaul L. Rev.* 363-404 (2026).³
- *Claudia Vincent, Jeff Gau, **Erik J. Girvan**, John English, Heather McClure, Rita Svanks, & Darren Reiley, *Blending Student Engagement and Voice with Staff Training in Restorative Practices: Findings from the Feasibility Test of the SpeakOut with Advocatr Program*, ____ *IMPROVING SCHOOLS* ____ (2026).
- *Rita Svanks, Jo Smith, Heather McClure, Claudia Vincent, Lindsey Romero, John English, **Erik Girvan**, & Darren Reiley, *Reciprocal Trust and Student Voice: Lessons from Adapting an Intervention for Middle Schools*, ____ *MIDDLE GRADES RES. J.* ____ (in press).
- 2024 **Erik J. Girvan**, Jennifer Wenska Reynolds, & Michael Moffitt, *Decision-making in Alternative Dispute Resolution*, in *CAMBRIDGE HANDBOOK OF THE PSYCHOLOGY OF LEGAL DECISION-MAKING* (pp. 617-33) (M. K. Miller, L. A. Yelderman, J. A. Cantone, & M. T. Huss, eds.) Cambridge University Press (2024).
- *Sean Austin, Kent McIntosh, & **Erik J. Girvan**, *National Patterns of Vulnerable Decision Points in School Discipline*, 102 *J. OF SCH. PSYCHOL.* 101259 (2024).
- 2023 **Erik J. Girvan**, *Post Hoc Interventions in Criminal Sentencing: An Empirical Thought Experiment*, in *POST HOC INTERVENTIONS: PROSPECTS AND PROBLEMS* (pp. 55-76) (M. Gunnemyr & M. L. Jönsson, eds.) Lund University (2023).⁴
- ***Erik J. Girvan** & Heather Marek, *Eye of the Beholder: Increased Likelihood of Prison Sentences for Those Perceived to Have Hispanic Ethnicity*, 47 *LAW & HUM. BEHAV.* 182-200 (2023).⁵
- *Claudia G. Vincent, **Erik J. Girvan**, John English, Heather McClure, Mark Van Ryzin, Rita Svanks, Daren Reiley, & Scott Smith, *Blending restorative practices with multi-tiered support system in high school before, and during the Covid pandemic: Successes, Challenges, and Adaptations*, 107 *NAT'L ASSOC. OF SECONDARY SCH. PRINCIPALS BUL.* 1-23 (2023).
- *Dave Markowitz, Angus Kittelman, **Erik J. Girvan**, Maria Santiago-Rosario, & Kent McIntosh, *Taking Note of Our Biases: How Language Patterns Reveal Bias Underlying the Use of Office Discipline Referrals in Exclusionary Discipline*, 52 *EDUCATIONAL RESEARCHER* 525-534 (2023).
- *Claudia G. Vincent, Heather McClure, Rita Svanks, **Erik J. Girvan**, John English, Daren Reiley, & Scott Smith. *What should a restorative classroom look and sound like? Content validation of a direct observation tool*, *J. OF RESEARCH IN*

² * = Peer-reviewed journals; + = Law reviews. Underlined co-authors are graduate students. Authorship order reflects responsibility, with the first author being the primary author and contributor.

³ Invited submission for 31st Annual Clifford Symposium on Tort Law and Social Policy issue on Social Science and Civil Justice: <https://law.depaul.edu/about/events/featured-events/clifford-symposium/Pages/default.aspx>.

⁴ Oregon Law Perspectives webinar: https://youtu.be/A43_WBDGIuo.

⁵ Reported on in *Telemundo* (<https://www.telemundo.com/noticias/noticias-telemundo/hispanos-en-ee-uu/latinos-sistema-justicia-penal-estados-unidos-rcna82430>)/*Axios* (<https://www.axios.com/2023/05/02/criminal-justice-prison-reform-latino-hispanic>).

- INNOVATIVE TEACHING & LEARNING (2023).
- 2022 Kent McIntosh, Tabathia Baldy, Maria Santiago-Rosario, Eoin Bastable, Sarah Fairbanks Falcon, Sara McDaniel, & **Erik J. Girvan**, *Designing Educational Interventions to Advance Social Justice*, in *DISPROPORTIONALITY & SOCIAL JUSTICE IN EDUCATION* (pp. 273-93) (A. Katsiyannis, D. Whitford, Rapa, L., & N. Gage, eds.) Springer (2022).
- 2021 **Erik J. Girvan**, *The School-to-Prison Pipeline: How Federal Anti-Discrimination Law Fails to Protect Equal Educational Opportunity*, in *THE OXFORD HANDBOOK OF U.S. EDUC. LAW* (pp. 995-1014) (K. Bowman, ed.) New York, NY: Oxford University Press (2021).
- ***Erik J. Girvan**, Kent McIntosh, & Maria Santiago-Rosario, *Associations between Community-level Racial Biases, Office Discipline Referrals, and Out-of-School Suspensions*, 50:2-3 SCH. PSYCHOL. REV. 288-302 (2021).
- *Kent McIntosh, **Erik J. Girvan**, Sarah Fairbanks Falcon, Sara McDaniel, Keith Smolkowski, Eoin Bastable, Maria Santiago-Rosario, Sara Izzard, Sean Austin, Rhonda Nese, & Tabathia Baldy, *Equity-focused PBIS Approach Reduces Racial Inequities in School Discipline: A Randomized Controlled Trial*, 36(6) SCH. PSYCHOL. 433-44 (2021).⁶
- *Kent McIntosh, **Erik J. Girvan**, Sara C. McDaniel, Maria Reina Santiago-Rosario, Stephanie St. Joseph, Sarah Fairbanks Falcon, Sara Izzard, & Eoin Bastable, *Effects of an Equity-Focused PBIS Approach to School Improvement on School Climate and Discipline*, 65(4) PREVENTING SCH. FAILURE 354-61 (2021).
- *Claudia G. Vincent, John English, **Erik J. Girvan**, Mark Van Ryzin, Rita Svanks, Shareen Springer, & Allison Ivey, *Introducing Restorative Practices into High Schools' Multi-Tiered Systems of Support: Successes and Challenges*, 24(4) CONTEMP. JUSTICE REV. 409-35 (2021).
- Rhonda Nese, Sara McDaniel, Paul Meng, Lisette Spraggins, Vikki Babbs, & **Erik J. Girvan**, *Restorative and Conflict Resolution Interventions*, in *PEERS AS CHANGE AGENTS: A GUIDE TO IMPLEMENTING PEER-MEDIATED INTERVENTIONS IN SCHOOLS* (pp. 185-95) (T.A. Collins & R.O. Hawkins, eds.) New York, NY: Oxford University Press (2021).
- 2020 ⁺**Erik J. Girvan**, *Towards a Problem-Solving Approach to Addressing Racial Disparities in School Discipline Under Anti-Discrimination Law*, 50 U. MEMPHIS L. REV. 995-1090 (2020) (symposium issue on Closing the Gap: Solutions to Educational Inequality).
- *Kent McIntosh, Keith Smolkowski, Cody M. Gion, Lauren Witherspoon, Eoin Bastable, & **Erik J. Girvan**, *Awareness is Not Enough: A Double-blind Randomized Trial of the Effects of Providing Discipline Disproportionality Data Reports to School Administrators*, 49(7) EDUC. RESEARCHER 533-37 (2020).

⁶ Selected as *School Psychology* Article of the Year (<https://www.apa.org/pubs/highlights/spotlight/issue-228>).

- 2019 **Erik J. Girvan**, *The Law and Social Psychology of Racial Disparities in School Discipline*, in ADVANCES IN PSYCHOL. & LAW, VOL. 4 (pp. 235-76) (B. Bornstein & M. Miller, eds.) Switzerland: Springer International Publishing AG (2019).
- ***Erik J. Girvan**, Kent McIntosh & Keith Smolkowski, *Tail, Tusk, and Trunk: What Different Metrics Reveal About the Problem of Racial Disproportionality in School Discipline*, 54 EDUC. PSYCHOL. 40-59 (2019).⁷
- 2018 *Kent McIntosh, Kathleen Elwood, Lisa McCall & **Erik J. Girvan**, *Using Discipline Data to Enhance Equity in School Discipline*, 53 INTERVENTION IN SCH. & CLINIC 146-52 (2018).
- 2017 ***Erik J. Girvan**, Cody Gion, Kent McIntosh, & Keith Smolkowski, *The Relative Contribution of Subjective Office Referrals to Racial Disproportionality in School Discipline*, 32 SCH. PSYCHOL. Q. 392-404 (2017).
- *Joshua Kahn & **Erik J. Girvan**, *Applying Rules and Standards Accurately: Indeterminacy and Transfer Among Adult Learners*, 27 HUM. RESOURCE DEV. Q. 87-112 (2017).
- 2016 ⁺**Erik J. Girvan**, *When Our Reach Exceeds Our Grasp: Remedial Realism in Antidiscrimination Law*, 94 OR. L. REV. 359-423 (2016).
- ***Erik J. Girvan**, *Wise Restraints?: Learning Legal Rules, Not Standards, Reduces the Effects of Stereotypes in Legal Decision-Making*, 22 PSYCHOL., PUB. POL'Y, & LAW 31-45 (2016).
- ***Erik J. Girvan** & Heather Marek, *Psychological and Structural Bias in Civil Jury Awards*, 8 J. AGGRESSION, CONFLICT, & PEACE RES. 247-57 (2016).
- *Keith Smolkowski, **Erik J. Girvan**, Kent McIntosh, Rhonda Nese, & Robert H. Horner, *Vulnerable Decision Points for Disproportionate Office Discipline Referrals: Comparisons of Discipline for African American and White Elementary School Students*, 41 BEHAV. DISORDERS 178-95 (2016).⁸
- Claudia Vincent, John English, **Erik J. Girvan**, Jeffrey Sprague, & Timothy McCabe, *Integrating School-wide Positive Behavior Interventions and Supports (SWPBIS) and Restorative Discipline (RD)*, in INEQUALITY IN SCHOOL DISCIPLINE: RESEARCH AND PRACTICE TO REDUCE DISPARITIES (pp. 115-34) (R.J. Skiba, K. Mediratta, & M.K. Rausch, eds.) New York: Palgrave MacMillan (2016).
- 2015 ⁺**Erik J. Girvan**, *On Using the Psychological Science of Implicit Bias to Advance Anti-Discrimination Law*, 26 GEO. MASON U. CIV. RTS. L.J. 1-86 (2015).⁹
- ***Erik J. Girvan**, Grace Deason, & Eugene Borgida, *The Generalizability of Gender Bias: Testing the Effects of Contextual, Explicit, and Implicit Sexism on Labor Arbitration Decisions*, 39 LAW & HUM. BEHAV. 525-37 (2015).

⁷ Selected for coverage in APA Division 15's Podcast, Emerging Research in Educational Psychology (<https://soundcloud.com/user-883650452/dr-erik-girvan>; <https://podcasts.apple.com/us/podcast/dr-erik-girvan/id1429028409?i=1000474525320>).

⁸ Selected as *Behavioral Disorders* Article of the Year (podcast: <https://tinyurl.com/y9prsoht>).

⁹ Selected for review in JOTWELL (<http://worklaw.jotwell.com/the-truth-is-not-enough-to-set-us-free/>).

- Eugene Borgida & **Erik J. Girvan**, *Social Cognition in Law*, in APA HANDBOOK OF PERSONALITY AND SOCIAL PSYCHOLOGY, ATTITUDES AND SOCIAL COGNITION, VOL. 1, 753-74 (E. Borgida & J. Bargh eds.) Washington, DC: APA Books (2015).
- 2014 *Kent McIntosh, **Erik J. Girvan**, Robert H. Horner, & Keith Smolkowski, *Education not Incarceration: A Conceptual Model for Reducing Racial and Ethnic Disproportionality in School Discipline*, 5 J. APPLIED RES. ON CHILD. 4, 1-22 (2014).
- Jennifer Hunt, **Erik J. Girvan**, Grace Deason, & Eugene Borgida, *Gender Stereotyping: Scientific Status*, in MODERN SCIENTIFIC EVIDENCE: THE LAW AND SCIENCE OF EXPERT TESTIMONY, 708-75 (D.L. Faigman, J. Blumenthal, E. Cheng, J. Mnookin, E. Murphy, & J. Sanders, eds.) St. Paul, MN: West Publishing Co. (2014).
- 2013 ⁺**Erik J. Girvan** & Grace Deason, *Social Science in Law: A Psychological Case for Abandoning the “Discriminatory Motive” Under Title VII*, 60 CLEV. ST. L. REV. 1057-1101 (2013).
- ⁺**Erik J. Girvan**, Robert J. Cramer, Tess M.S. Neal, Caroline Titcomb, & Stanley L. Brodsky, *The Propriety of Peremptory Challenges for Perceived Personality Traits*, 37 LAW & PSYCHOL. REV. 49-82 (2013).
- 2010 ***Erik J. Girvan**, Jason Weaver, & Mark Snyder, *Elevating Norm Over Substance: Self-Monitoring as a Predictor of Decision Criteria and Decision Time Among Independent Voters*, 10 ANALYSES SOC. ISSUES & PUB. POL’Y 321-36 (2010).
- 2009 ***Erik J. Girvan**, *Rethinking the Economic Model of Deterrence: How Insights from Empirical Social Science Could Affect Policies Towards Crime and Punishment*, 5 REV. LAW & ECON. 461-91 (2009).
- Other Publications**
- Center on PBIS. (2023). *Discipline disproportionality problem solving: A data guide for school teams* Center on PBIS, University of Oregon. www.pbis.org
- Erik J. Girvan**, *The Impacts of Offender Race and Ethnicity on Sentence Type in Oregon: 2005-2018* (2019) (report to the Oregon Criminal Justice Commission).
- Kent McIntosh, **Erik J. Girvan**, Robert H Horner, Keith Smolkowski, George Sugai, *A 5-Point Intervention Approach for Enhancing Equity in School Discipline*, OSEP Technical Assistance Center on Positive Behavioral Interventions and Supports (2018) (<https://nepbis.org/wp-content/uploads/2018/12/F1.-A-5-Point-Intervention-Approach-for-Enhancing-Equity-in-School-Discipline.pdf>).
- Lili McIntyre & **Erik J. Girvan**, *Do We Measure What We Value?* (2015) (<http://www.indisputably.org/?p=7640>).
- Erik J. Girvan** & Lauren Reba-Harrelson, *Supporting Breadth in Psychology and Law*, Committee on Early Career Professionals column in the American Psychology – Law Society, APA Division 41, Newsletter, 46-49 (2014) (http://apls.wildapricot.org/resources/Documents/apls_fall_2014.pdf).

Kent McIntosh, **Erik J. Girvan**, Robert H. Horner, Keith Smolkowski, & George Sugai, *Recommendations for Addressing Discipline Disproportionality in Education*, OSEP Technical Assistance Center on Positive Behavioral Interventions and Supports (2014) (<http://www.pbis.org/school/equity-pbis/recommendations>).

Eugene Borgida & **Erik J. Girvan**, *Book Review: Psychological Science in the Courtroom: Consensus and Controversy*, 36 CRIM. JUST. REV. 366-368 (2011).

Erik J. Girvan, Seth Lamden, et al., *Recent Developments in Insurance Coverage Litigation*, 43 TORT TRIAL & INS. PRAC. L.J. 519 (2008).

William L. Killion, Kerry L. Bundy, & **Erik J. Girvan**, *Minnesota*, in BUSINESS TORTS: A FIFTY-STATE GUIDE 399 (M. Daller ed.) New York: Aspen (2007).

Mark D. Mese, **Erik J. Girvan**, et al., *Recent Developments in Insurance Coverage Litigation*, 42 TORT TRIAL & INS. PRAC. L.J. 547 (2006).

**Ongoing
Projects**

Definitions of and Remedies for Discrimination (empirical and legal policy research).

Effectiveness of Anti-Discrimination Law (legal policy research).

**Academic
Presentations**

Probabilistic Harm and Presumptions of Prejudicial Preferences, invited speaker at The 31st Annual Clifford Symposium on Tort Law and Social Policy, May 22, Chicago, IL (2025).

Diversity, Equity, Inclusion and Belonging as Part of the First Amendment and Academic Freedom, invited panelist for Big Ten Law Schools webinar series on Rule of Law in 2025, April 30 (2025).

Teaching (Education) Law in a Time of Significant Legal Change, pedagogical session organizer, moderator, and discussant at AALS Annual Meeting, January 11, San Francisco, CA (2025).

Safety and Exclusionary School Discipline, presentation as part of a panel on *School Safety* at the Education Law Association Conference, October 28, Reno, NV (2023).

Vulnerable Decision Points in Prison Disciplinary Segregation, presentation as part of a panel on *Innovations in Detecting Racial Bias in Experimental and Real-World Data from Legal Contexts* at the American Psychology-Law Society Conference, March 18, Philadelphia, PA (2023) (with Kate Ginsburg Kempany).

Operationalization of Legal Concepts, invited speaker at panel on *Social Sciences Research Strategies and Methods* at the Association of American Law Schools 2023 Annual Meeting, January 7, San Diego, California (2023).

Breaking Out of the Law School Silo: Interdisciplinary and Empirical Research in Law, invited panel discussant at the Association of American Law Schools 2023 Annual Meeting, January 5, San Diego, California (2023).

Post Hoc Interventions in Criminal Sentencing: An Empirical Thought Experiment, invited talk for the at the Lund University Pufendorf Institute for Advanced Studies Theme on Post Hoc Interventions, October 5, Lund, Sweden (2022).

Bridges and Barriers to Educational Equity: Should Law Schools Continue to Use Remote Learning Technology and Pedagogy for In-person Classes?, organizer and facilitator of discussion group at the Association of American Law Schools 2022 Annual Meeting, January 9, held virtually (2022) (Remote session).

Digging Beneath the 3 Ds: The Potential of Natural Language Processing to Identify Intervention Targets from Teachers' Descriptions of Discipline Incidents, invited talk at University of Florida Educational Policy Research Center conference on Improving Data for School Discipline Research, sponsored by the American Educational Research Association, October 18, Gainesville, Florida (2021).

Assessing Bias in Sentencing Decisions of Hispanic Defendants using Other- and Self-Identified Ethnicity, presentation part of a panel on Assessing Racial Bias, Discrimination, and Injustice in Legal Institutions at the Law & Society Association annual conference, May 27, Chicago, Illinois (2021) (Remote session).

Toward a Problem-Solving Approach for Anti-Discrimination Law: Addressing Racial Disparities in School Discipline, University of Oregon School of Law Perspectives webinar presentation, April 8, Eugene, Oregon (2021) (Remote session).

Eye of the Beholder or Beheld?: Examining the Magnitude of Racial and Ethnic Disparities in Outcomes of Sentencing Decisions, presentation part of a panel on Turning the Lens: Researching Sentencers at The Empirical Research on Sentencing (ERoS) Annual Conference, August 27, Ljubljana, Slovenia (2020) (Remote session).

Local community members' implicit and explicit racial biases predict racial disparities in exclusionary discipline in their schools, presentation part of a panel on New Directions in the Psychological Study of Racial Disparities, Police Encounters, and Race Relations in the 21st Century at the Law, Society, & Psychological Science (Law & Society Association CRN) mini-conference, June 12, Denver, CO (2020) (Remote session).

Towards a problem-solving approach to addressing racial disparities in school discipline under anti-discrimination law, presentation part of a panel on Disproportionality in Discipline and Treatment of Students with Disabilities at The University of Memphis Law Review Annual Symposium on Closing the Gap: Solutions to Educational Inequality, March 13, Memphis, TN (2020) (Symposium cancelled).

Project ReACT: A Multicomponent Approach for Improving Racial Equity in School Discipline, presented as part of a panel on Integrating Restorative Practices with Multi-Tiered Systems of Support to Promote Equitable Behavioral Outcomes at the Institute for Education Sciences Annual PI Meeting, January 9, Washington, D.C. (2020).

Racial Bias in Civil Jury Awards, presentation at the American Psychology-Law Society Conference, March 16, Portland, OR (2019).

The Role of Law in Educational (In)equity, organizer and facilitator of discussion group at the Association of American Law Schools 2019 Annual Meeting, January 6, New Orleans, Louisiana (2019).

The Psychology of Implicit Bias, guest presentation as part of a panel on Socio-Economic Pedagogy and Implicit Bias at the Association of American Law Schools 2019 Annual Meeting, January 5, New Orleans, Louisiana (2019).

Under-Incarceration?: White Privilege in Criminal Justice, presentation as part of a panel on Implicit Bias in Law at ClassCrits X, November 10, New Orleans, LA (2017).

Using Theories of Implicit Bias to Combat Racial Disparities in the “School-to-Prison Pipeline,” presentation as part of the session on Strategies for Promoting Positive Mental Health Outcomes for Black Youth at the American Psychological Association Annual Convention, August 5, Washington, DC (2017).

Holes in the Safety Net: Legal and Practical Shortcomings in Federal Protections of LGBTQ Students, presentation as part of the session on Working Toward LGBT Equality at the American Psychological Association Annual Convention, August 4, Washington, DC (2017).

Why Do We Still Have Racial Disparities in School Discipline?, presentation as part of the Workshop on Education Law at the South Eastern Association of Law Schools Annual Conference, August 2, Boca Raton, Florida (2017).

How Unstable Measures Impact the Effectiveness of Anti-Discrimination Law: An Examination of Racial Disparities in School Discipline, paper presentation as part of a panel on Law & Discrimination at the Law and Society Association International Meeting on Law and Society, June 20 – 23, Mexico City, Mexico, (2017).

An Assessment of the Effectiveness of Restorative Justice as an Intervention for Reducing Bias Against LGBTQ Students in Schools. Symposium on Victimization and Vulnerable Populations: Implications for Victims Service Provision and Policy at the American Psychology-Law Society Conference, March 17, Seattle, Washington (2017).

The Ambivalent Response to Efforts to Give the Psychology of Implicit Bias to Law. Symposium on Giving Psychology to Law through Education and Expert Testimony at the Society for the Psychological Study of Social Issues annual conference, June 24-26, Minneapolis, Minnesota (2016).

Bias in the School-to-Prison Pipeline: Identifying Vulnerable Decision Points for Racially Disproportionate School Discipline. Symposium on Interdisciplinary Perspectives on Hate, Prejudice, and Discrimination in the Criminal Justice System at the American Psychology-Law Society Conference, March 10 – 12, Atlanta, Georgia (2016).

Psychological and Structural Bias in Civil Jury Awards. Symposium on Jury Decision Making at the American Psychology-Law Society Conference, March 10 – 12, Atlanta, Georgia (2016).

Two Levels of Implicit Bias in Judicial Decision-Making. Symposium on Law and Images at the Association of American Law Schools 110th Annual Conference, January 9, New York, New York (2016).

When Our Reach Exceeds Our Grasp: Remedial Realism in Anti-Discrimination Law. Invited talk at the Junior Faculty Works-in-Progress Conference at Marquette University Law School, September 26, Milwaukee, Wisconsin (2015).

Fruit of a Poison Tree?: Comparing Structural and Psychological Sources of Bias in Civil Jury Decisions. Invited talk at the Social Psychology and Law Preconference to the Society for Personality and Social Psychology Annual Meeting, February 26, Long Beach, California (2015).

A Question of Efficacy: The Role of Psychological Science of Implicit Bias in Advancing Anti-Discrimination Law. Invited talk at the University of Kansas School of Law, February 13, Lawrence, Kansas (2015).

It Ain't Broke if You Can't Fix it: The Need for Remedial Realism in Anti-Discrimination Law and Psychology. Invited talk at the William S. Richardson School of Law New Directions in Law & Psychology Symposium, December 12, Honolulu, Hawai'i (2014).

It Ain't Broke if You Can't Fix it: The Psychological Science of Workable Solutions to Discrimination. Invited talk at the University of Nebraska Future Directions in Psychology, Public Policy, and the Law Conference, June 11 – 13, Lincoln, Nebraska (2014).

The Influence of Social Cognitive Psychology in Law. Symposium on Social Psychology and Law at the American Psychology-Law Society Conference, March 6 – 8, New Orleans, Louisiana (2014).

Wise Restraints?: How Learning the Law Affects Socially-Biased Decision-Making. Invited talk at the University of Iowa College of Law, January 23, Iowa City, Iowa (2014).

The Influence of Explicit and Implicit Gender Attitudes on Labor Arbitration Decisions. Invited talk at the Implicit Bias, Philosophy, and Psychology Conference, April 19 - 21, University of Sheffield, Sheffield, United Kingdom (2013).

When Legal Education Attenuates Use of Social Stereotypes. Symposium on Stereotypes and Perceptions. Presentation at the American Psychology-Law Society Conference, March 7 – 9, Portland, Oregon (2013).

The Influence of Explicit and Implicit Gender Attitudes on Labor Arbitration Decisions. Presentation at the American Psychology-Law Society Conference, March 7 – 9, Portland, Oregon (2013).

Toward a Broader Theory of Discrimination and Hostile Environments: The Role of Dehumanization. Invited Discussant at the American Psychology-Law Society Conference, March 7 – 9, Portland, Oregon (2013).

No Royal Road for Reducing Prejudice: Experience, not Accountability, Attenuates Gender Bias in Employment-Arbitration Decisions. Symposium on Employment

Discrimination at the 4th International Congress on Psychology and Law, March 2 – 5, Miami, Florida (2011).

Discrimination and the Psychological “Motive”: A Revised Framework for Disparate Treatment Under Title VII. Symposium on Law and Uncertainty at the Twin Cities Law & Society Conference, October 24, Minneapolis, Minnesota (2009).

The Merits and Challenges of Transparency: A Proposed Experimental Examination of Camera Coverage on Courtroom Trials. Symposium on Courts and Judges at the Twin Cities Law & Society Conference, October 24, Minneapolis, Minnesota (2009).

Do not Protest too Much: Backlash and Implicit Bias in Employment Arbitration Decisions. Symposium on The Policy Implications of Blatant and Subtle Acts of Sexism at the American Psychology-Law Society Conference, March 5-8, San Antonio, Texas (2009).

Grants & Fellowships

External Research Funding Awards:¹⁰

- ReACT Initial Efficacy: Testing the Effects of a Promising Intervention to Achieve Equity in School Discipline (R305A230399), U.S. Department of Education Institute for Education Sciences (Co-PI with Kent McIntosh, Keith Smolkowski, Kim St. Martin, Ambra Green, & Gulcan Cil), \$3,800,000 (2023-2027; nationally competitive, peer-reviewed award)
- Project BASICS: Behavioral Accountability for a Successful Instructional Climate in Schools (R305A210071), U.S. Department of Education Institute for Education Sciences (Co-PI with Claudia Vincent, John English, & Heather McClure) \$1,999,999 (2021-2026; nationally competitive, peer-reviewed award)
- Justice Reinvestment Evaluation, State of Oregon Criminal Justice Commission (PI with Angela Addae), \$109,900 (2020; state-funded award)
- Project ReACT: Neutralizing the Effects of Implicit Bias on Racial Disproportionality in School Discipline (R324A170034), U.S. Department of Education Institute for Education Sciences (Co-PI with Kent McIntosh), \$1,400,000 (2017-2020; nationally competitive, peer-reviewed award)
- Positive and Restorative Investment in Discipline Reform in Education (PRIDE): Integrating School-wide Positive Behavior Interventions and Supports (SWPBIS) and Restorative Discipline (RD) (R305A170631), U.S. Department of Education Institute for Education Sciences (Co-PI with Claudia Vincent) \$1,390,000 (2017-2020; nationally competitive, peer-reviewed award)
- Race and Gender Disparities Research to Practice Collaborative Grant (with Jeffrey Sprague, John English, and Claudia Vincent), \$25,000 (2013; nationally competitive, peer-reviewed award)
- American Psychological Foundation/Council of Graduate Departments of Psychology, Clarence J. Rosencrans Scholarship, \$2,000 (2011; nationally

¹⁰ Total external research funding: \$8,752,644

competitive, peer-reviewed award)
 Society for the Psychological Study of Social Issues Research Grant, \$1,000
 (Summer 2011; nationally competitive, peer-reviewed award)
 National Academy of Arbitrators Research and Education Foundation Research
 Grant (with Eugene Borgida & Grace Deason), \$23,995 (Fall 2009)
 American Psychology-Law Society Grant-in-Aid, \$750 (Summer 2009; nationally
 competitive peer-reviewed award)

Internal Funding Awards:

Wayne Morse Center for Law and Politics Resident Scholar, \$10,000 (2015-2016)
 University of Oregon Incubating Interdisciplinary Initiatives (I3) Grant (with Jeffrey
 Sprague, John English, and Claudia Vincent), \$48,499 (2013, intra-institutionally
 competitive, peer-reviewed award)
 Center for the Study of Political Psychology Research Grant, \$1,500 (Spring 2011)
 University of Minnesota Political Psychology Minor Grant, \$1,000 (Spring 2011)
 College of Liberal Arts Student Research and Travel Award, \$500 (Spring 2011)
 Center for the Study of Political Psychology Research Grant, \$1,750 (Spring 2009)
 Department of Psychology Travel Grant, \$500 (Spring 2009)
 Center for the Study of Political Psychology Research Grant, \$6,400 (Spring 2008)

Fellowships:

University of Minnesota Doctoral Dissertation Fellowship, full tuition plus stipend
 (2011-2012; interdepartmentally competitive, peer-reviewed award)
 Department of Psychology Research Fellowship (Spring 2010; intra-departmentally
 competitive, peer-reviewed award)
 University of Minnesota Graduate School Research Fellowship (Summer 2009;
 interdepartmentally competitive, peer-reviewed award)
 Graduate Research Partnership Program Fellowship (Summer 2008)
 University of Minnesota Graduate School Fellowship, full tuition plus stipend
 (2007-2009)

***Awards &
Honors***

University of Oregon, Fund for Faculty Excellence Award (2019)
 University of Oregon, Rev. Dr. Martin Luther King, Jr. Institutional Transformation
 Award (2017)
 Elected Marshal for Class of 2017 (2017)
 Orlando J. Hollis Faculty Teaching Award (2016)

Prof. Dev. Fellowships & Certificates *Academic Leadership Program*, BigTen Academic Alliance (2025-26)¹¹
AI Essentials, University of Oregon, Continuing & Professional Education (2026)
Faculty Data Science Fellowship, Social Systems Data Science Network (2021)

Selected Media Appearances Marina E. Franco, *Perception of Latinos' race impacts crime sentences, study finds*, Axios/Noticias Telemundo (May 2, 2023) (<https://www.axios.com/2023/05/02/criminal-justice-prison-reform-latino-hispanic>; <https://www.telemundo.com/noticias/noticias-telemundo/hispanos-en-ee-uu/latinos-sistema-justicia-penal-estados-unidos-rcna82430>).
Megan Cave, *Expert Instruction Episode 6: Implicit Bias*, PBISApps (Feb. 16, 2021) (<https://www.pbisapps.org/community/Pages/Expert-Instruction-Episode-6-Implicit-Bias.aspx>).
Love Cross, *City Club of Eugene: Implicit bias: in the schools, in the courts, in society*, KLCC (Jan. 11, 2021) (<https://www.klcc.org/post/city-club-eugene-implicit-bias-schools-courts-society>).
Haven Orecchio-Egresitz, *The 'war on drugs' may be a bigger problem than the drugs themselves, experts say*, Insider (Nov. 10, 2020) (<https://www.insider.com/ending-war-on-drugs-solution-to-tense-cop-community-relationships-2020-11>).
Matthew Denis, *Training for empathy and prevention*, Register-Guard (Dec. 17, 2018) (<https://www.registerguard.com/news/20181217/training-for-empathy-and-prevention>).
Kellee Azar, *Starbucks closes stores for racial bias training after Philadelphia incident*, KATU (May 29, 2018) (<https://katu.com/news/local/starbucks-close-for-racial-bias-training-after-philadelphia-incident>).
Julia Belluz, *Companies like Starbucks love anti-bias training. But it doesn't work — and may backfire*, Vox (Apr. 19, 2018) (<https://www.vox.com/science-and-health/2018/4/19/17251752/philadelphia-starbucks-arrest-racial-bias-training>).
Emily Cureton & Geoffrey Riley, *Seeing our blind spots*, Jefferson Public Radio (Feb. 12, 2016) (<http://ijpr.org/post/seeing-our-blind-spots#stream/0>).

Selected Professional Keynote Presentations, Workshops, & Trainings Oregon District Attorneys Association, Continuing Legal Education for All Members, March 20, Webinar Workshop (2026)
University of Oregon, VPFA LEADS Supervisor Training Sessions, September & March, Eugene, Oregon (2024-26).
Lane County Developmental Disabilities, All Staff Training, December 7, Eugene, Oregon (2022).
Oregon Department of Corrections, Leadership Team Training, November 15, Salem, Oregon (2022).

¹¹ Year-long extensive leadership development program: <https://btaa.org/leadership-institute/introduction>.

SAGE, Webinar Workshops, July 7 & September 23 (2022).

Oregon Department of Corrections, Retreat, September 15, Madras, Oregon (2022).

Fanconi Anemia Research Fund, All Staff Training, August 25, Eugene, Oregon (2022).

Lane Council of Governments, All Staff Training, January 13, Eugene, Oregon (2022).

Oregon Business & Industry, Board of Directors Meeting, November 11, Newburg, Oregon (2021).

Federal Bureau of Investigation, Portland Field Office, 2021 Cross Functional Community Engagement Workshop Series, June 15, Portland, Oregon (2021).

Georgia Council of Court Administrators, Spring 2021 Conference, March 16, Athens, Georgia (2021) (remote presentation).

Keynote speaker, Idaho Prosecuting Attorneys Association Winter Conference, February 7, Boise, Idaho (2020).

Multnomah County and Clarke County District Attorneys' Offices, January 30, Portland, Oregon (2020).

Deschutes County District Attorneys' Office, Sheriffs, local law enforcement, and Parole & Probation, September 20 & November 15, Bend, Oregon (2019).

Keynote speaker, Diversity & Social Justice Conference of the Washington Education Association – Riverside, March 16, Vancouver, Washington (2019).

Keynote speaker, ReFUEL HR Annual Conference of the Human Resource Association of Central Utah, March 14, Provo, Utah (2019).

Plenary speaker, Oregon Justice Reinvestment Summit, February 14, Salem, Oregon (2019).

Oregon Department of Justice, November 29, December 11 & 13, January 29, Salem and Portland, Oregon (2018-2019).

University of Oregon, workshop series for members of academic search committees, September-May, Eugene, Oregon (2014-20).

Federal Bureau of Investigation Leadership Conference, September 26, Portland, Oregon (2018).

Plenary speaker, U.S. Courts 2018 Bench Bar Conference, September 14, Ft. Hall, Idaho (2018).

Keynote speaker, 30th Annual Employment Law Seminar sponsored by Parsons, Behle, & Latimer, May 22, Salt Lake City, Utah (2018).

Oregon Department of Human Services, February 1, Beaverton & Oregon City, & April 6, Clackamas & Hillsboro, Oregon (2018).

Keynote speaker, Building Bridges of Understanding in our Communities, September 28, Tigard, Oregon (2017).

Miller, Nash, Graham, & Dunn LLP, June 8 & 9, Portland, Oregon & Seattle, Washington (2017).

Oregon Department of Justice, Criminal Enforcement Division, November 4, February 9, May 30, & July 25, Salem, Oregon (2016-2017) (with Capt. Sam Kamkar).

Multnomah County District Attorney's Office, April 28, Portland, Oregon (2017).

Oregon Criminal Defense Lawyer's Association Annual Juvenile law Conference, April 22, Newport, Oregon (2017) (with Judge Darleen Ortega and Carrie Leonetti).

Lane County Parole & Probation, April 18, Eugene, Oregon (2017).

Oregon State Bar Board of Governors and PLF Board of Directors, April 14, Portland, Oregon (2017).

30th Annual North West Bankruptcy Institute, April 7, Vancouver, Washington (2017).

Oregon District Attorneys Association annual leadership retreat, December 1, Gleneden Beach, Oregon (2016).

Marion County Health Department, October 28, Salem, Oregon (2016).

School Board Members for school districts in Lane County, October 11, Eugene, Oregon (2016).

Lane County District Attorney's Office, August 26, Eugene, Oregon (2016).

Lane Powell PC, July 13 & 14, Portland, Oregon & Seattle, Washington (2016).

Administrators of the Arlington Independent School District, June 10, Arlington, Texas (2016).

University of Oregon Executive and Senior Leadership Team, June 7, Eugene, Oregon (2016).

Tonkon Torp LLP, May 14, Sunriver, Oregon (2016).

Oregon Circuit Judges Association Conference, April 11, Sunriver, Oregon (2016).

Eugene School District 4J Implicit Bias & Disproportionate Discipline Work Session, January 14, Eugene, Oregon (2016).

Eugene Police Department November In-Service Training, November 4-18, Eugene, Oregon (2015).

Oregon Criminal Defense Lawyers Association Juvenile Law Training Academy, October 19, Silverton, Oregon (2015).

Lane County K – 12 Curriculum Leaders, Special Education Directors, and School Superintendents, October 20, Eugene, Oregon (2015).

National Association of Administrative Law Judiciary 2015 Annual Conference, October 13, Portland, Oregon (2015).

Washington County Juvenile Department, July 29, Hillsboro, Oregon (2015).

Governor's Summit on Reducing Disproportional Minority Contact in the Juvenile

Justice System, session on Breaking the School to Prison Pipeline in Oregon: Implication for Policy and Practice, November 26, Eugene, Oregon (2014) (with Kent McIntosh).

Oregon School Discipline Advisory Committee, an advisory committee to the Oregon Department of Education, November 12, Salem, Oregon (2014) (with Kent McIntosh).

University of Oregon Executive Leadership Team (i.e., President, Provost, Deans), program chairs, and high-level professional staff at the University of Oregon, October – January, Eugene, Oregon (2014-2015).

Professional Memberships & Licenses

Bar Admissions:

- State of Minnesota (2002; currently inactive)
- United States Court of Appeals for the Eighth Circuit
- United States District Courts: Central District of Illinois, Northern District of Illinois, District of Minnesota, Eastern District of Wisconsin, and Western District of Wisconsin

American Bar Association, 2002 - present

American Psychology-Law Society, 2007 – present

American Psychological Association, 2016 – 2020

Society for the Psychological Study of Social Issues, 2008 – 2016

Professional Service

Journals and Granting Institutions:

- *Editorial Board Member:*
 - Law & Human Behavior, 2018-present
 - Psychology, Public Policy, & Law, 2024-present
 - Journal of Aggression, Conflict, and Peace Research, 2015-19
- *Ad hoc Reviewer:* AERA Open, American Educational Research Journal, Behavioral Sciences & the Law, Educational Psychologist, Educational Researcher, Harvard Education Press, Journal of Disability Studies, Journal of Empirical Legal Studies, Journal of Law & Empirical Analysis, National Science Foundation (Law and Social Sciences Program); Youth & Society

Professional Organizations:

- American Association of Law Schools, House of Representatives, *Member*, 2024 & 2025
- American Association of Law Schools, Section on Education Law, *Executive Committee*, 2019-2025
- American Psychological Association, *Committee on Legal Issues*, 2017-20, *co-chair*, 2019-20
- American Psychology-Law Society, *Early Career Professionals Committee*, 2014 -17
- American Psychology-Law Society, *Legal Scholars Committee*, 2013-2016
- American Psychology-Law Society, *Reviewer of Presentation Proposals for 2015 Annual Conference*, San Diego, CA
- American Psychology-Law Society, *Reviewer of Presentation Proposals for 2014 Annual Conference*, New Orleans, LA

- American Psychology-Law Society, *Reviewer of Presentation Proposals for 2013 Annual Conference*, Portland, OR
- Society for the Psychological Study of Social Issues, *Reviewer of Presentation Proposals for 2012 SPSSI Biennial Conference*, Charlotte, NC
- American Psychology-Law Society, *Reviewer of Presentation Proposals for 2011 APA Convention*, Washington, DC
- Society of Experimental Social Psychology, *Volunteer Symposia Host and Transportation Coordinator*, 2010 Annual Conference, Minneapolis, MN
- American Psychology-Law Society, *Campus Representative*, 2009-2010

Legal System:

- Oregon State Bar Rules for Admission Review Workgroup, *ex officio*, 2025-26
- Oregon Supreme Court Council on Inclusion and Fairness, Data Analysis Subcommittee, *Member*, 2017-2021
- Oregon Criminal Justice Commission, Justice Reinvestment Equity Advisory Committee, *Member*, 2019-2020¹²
- Oregon Law Commission, Oregon State Capitol Workplace Harassment Work Group, *Member*, 2018-2019
- Oregon Law Enforcement Contacts Policy Data and Review Committee, *Consultant*, 2016-17

Institutional Service

University of Oregon:

- Office of the Provost Assistant/Associate Deans (2023-present)
- Graduate Council (2014-19, 2022-26), *Secretary* (2025-26)
- Assistant/Associate Deans of Research Council (2023-2024)
- Student Conduct and Community Standards Committee (2019-23), *Faculty Chair* (2019-21)
- University Appeals Board (2019-22)
- Fund for Faculty Excellence Selection Committee (2019-21), *Chair* (2020-21)
- Lokey Graduate Science Award Committee (2018-19)
- UO Doctoral Research Fellowship Review Committee (2014-15, 2016-17)
- NSF Advance Grant Planning Group (2012-14)

Law School Committees:

- Assessments/Outcomes (2017-18), *Chair* (2025-26)
- Academic Requirements Committee (2024-26)
- Dean's Faculty Advisory Committee, *ex officio* (2024-26)
- Curriculum, *ex officio* (2025-26)
- Legal Studies, *ex officio* (2025-26)
- Academic Success, *ex officio* (2024-26)
- Academic Standing Committee, *ex officio* (2024-26)
- Decennial Review, *Chair* (2024-25)
- Appointments (2022-24), *Chair* (2023-24)

¹² Co-authored evaluation report:

<https://www.oregon.gov/cjc/CJC%20Document%20Library/HB3064ReportSept2020.pdf>

- Colloquium Committee, *ex officio* (2023-24)
- ABA Self Study & Site Visit Committee, *Chair* (2021-23)
- Academic Standing Committee (2021-22)
- Dean's Faculty Advisory Committee (2016-17; 2019-21) (elected by faculty)
- Appointments (2018-19)
- CRES Advisory (2014-17)
- Career & Professional Success, *Chair* (2014-15)
- Academic Standing & Professional Success (2012-14)
- Diversity/Community and Inclusion (2013-14)
- Library (2012-13)

University Search Committees:

- Dean of the Graduate School (2018)
- Associate Dean of the Graduate School (2017)
- Managing Director of the Portland Program (2015)
- Faculty Support Specialist (2015)
- Assistant/Associate Director of Admissions (2015)
- ADR Program Director (2014)

Special Administrative Assignments:

- Non-JD Graduate Programs Workgroup, *Chair* (2018-19)
- Law School Dean's 5-Year Review Committee (2015-16)
- CRES 10-Year Program Review (2015-16)
- Law School Program Review (2013-14)
- Analysis of Undergraduate Law Curriculum (2013)
- Bar Exam Performance Working Group (2012-13)
- Scholarship Committee Working Group (2012)

Student Organizations:

- Oregon Law Review, 100th Anniversary Symposium Issue (2021-22)
- Moot Court Advisory Board (2014-15)