

Curriculum Vitae  
**EVAN J. MANDERY**

Present Position: Professor  
Department of Criminal Justice  
John Jay College of Criminal Justice  
City University of New York  
524 W.59<sup>th</sup> Street  
New York, New York, 10019  
212-237-8389  
emandery@jjay.cuny.edu

Home Address: 23 Norwood Avenue  
Montclair, New Jersey 07043  
ejmandery@gmail.com

Research Interests: Capital Punishment  
Evidence  
Criminal Law  
Ethics  
Education Access

**EDUCATION**

J.D., <i>cum laude</i>	Harvard Law School	1992
A.B., <i>magna cum laude</i>	Harvard College	1989

**ACADEMIC POSITIONS AND AFFILIATIONS**

<i>Chairperson</i>	John Jay College, City University of New York, Department of Criminal Justice	2009-2017, 2021-present
<i>Deputy Chairperson</i>	John Jay College, City University of New York, Department of Law, Police Science & Criminal Justice Administration	2005-2009
<i>Professor</i>	John Jay College, City University of New York, Department of Criminal Justice & Graduate Center, City University of New York (Associate 2005-2013, Assistant, 2000-2005)	2000-present

**NON-ACADEMIC EMPLOYMENT**

<i>Executive Producer &amp; Co-Creator</i>	ARTIFICIAL (interactive TV series on Twitch; winner 2019 Prime-Time Emmy Award for Outstanding Innovation in Interactive Programming and 2019 Peabody Award)	2018-2020
--	---	-----------

<i>Associate</i>	Shearman & Sterling, Litigation Department	1997-2000
<i>Research Director</i>	Ruth Messinger for Mayor	1997
<i>Special Counsel</i>	New York City Trade Waste Commission	1996-1997
<i>Associate</i>	Jones, Day, Reavis & Pogue, Litigation Department	1994-1996
<i>Law Clerk</i>	Honorable David Alan Ezra, United States District Judge for the District of Hawaii	1992-1993

## PUBLICATIONS

### Non-Fiction Books

**Mandery, E.** (2022). *Poison Ivy: Elite Colleges, Suburbs, and the End of the American Dream*. New York, NY: The New Press. (*Forbes* Best Education Books of 2022, Next Big Idea Book Club Finalist)

**Mandery, E.** (2013). *A Wild Justice: The Death and Resurrection of Capital Punishment in America, 1972-1976*. New York, NY: W.W. Norton. (2014 ABA Silver Gavel Honorable Mention, 2014 Scribes Book Award Second Place, *New York Times* Editors' Pick; *Kirkus* Best Books of 2013)

**Mandery, E.** (2011). *Capital Punishment: A Balanced Examination (Second edition)*. Sudbury, MA: Jones & Bartlett.

**Mandery, E.** (2005). *Capital Punishment: A Balanced Examination*. Sudbury, MA: Jones & Bartlett.

**Mandery, E.** (1999). *The Campaign: Rudy Giuliani, Ruth Messinger, Al Sharpton and the Race to be Mayor of New York City*. New York: Westview. (Published in paperback as *Eyes on City Hall*).

### Novels

**Mandery, E.** (2020). *The Professional*. Nyack, NY: Classics of Golf.

**Mandery, E.** (2011). *Q*. New York, NY: HarperCollins.

**Mandery, E.** (2010). *First Contact (Or It's Later Than You Think)—Parrot Sketch Excluded*. New York, NY: HarperCollins.

**Mandery, E.** (2007). *Dreaming of Gwen Stefani*. Brooklyn, NY: Ig.

### **Short Stories**

**Mandery, E.** (2010). "The Christmas Miracle Event" in *The Atheist's Guide to Christmas*. New York, NY: HarperCollins.

**Mandery, E.** (2010). "The Son Also Rises" in *The Litribune*, Vol. 2, No.1.

### **Peer-Reviewed Journal Articles**

Shlosberg, A., Ho, A. and **Mandery, E.** (2017). A Descriptive Examination of Prisonization Through the Lens of Post-Exoneration Offending. *Deviant Behavior*, 39, 1082-1094.

Shlosberg, A., **Mandery, E.**, West, V., and Callaghan, B. (2014). Expungement and Post-Exoneration Offending. *Journal of Criminal Law and Criminology*, 104, 353-388.

Pezzella, F., Paladino, A., Zoller, C., and **Mandery, E.** (2014). The Efficacy of Student Learning in Large-sized Criminal Justice Preparatory Classes. *Journal of Criminal Justice Education*, 25, 1-25.

**Mandery, E.**, Shlosberg, A., West, V., and Callaghan, B. (2013). Compensation Statutes and Post-Exoneration Offending. *Journal of Criminal Law and Criminology*, 103, 553-584.

Kennedy-Kollar, D. & **Mandery, E.** (2010). Testing the Marshall Hypothesis and its Antithesis: the Effect of Biased Information on Death-Penalty Opinion. *Criminal Justice Studies*, 23, 65-83.

### **Professional Journal Articles**

**Mandery, E.** & Kennedy, D. (2011). A New Direction for Criminal Justice Education. *The Criminologist*, 36, 1-6.

### **Law Review Articles**

**Mandery, E.** (2017) Michael Meltsner: Soul of a Writer. *Northeastern University Law Review*. (special issue) (<http://nulawreview.org/meltsner-evanmandery>)

**Mandery, E.** (2016) *Gregg* at 40. *Southwestern Law Review*, 46, 275-303.

**Mandery, E.** (2016) Introduction (to Special Issue on Issues in Capital Punishment). *Southwestern Law Review*, 46, 217-19.

**Mandery, E.** and Shemtob, Z. (2014). Supreme Convolution: The Capital Cases and the Nature of Supreme Court Decision Making. *New England Law Journal*, 48, 711-747.

**Mandery, E.** (2014) Foreword. *New England Law Journal*, 48, 679-681.

Shlosberg, A., **Mandery, E.**, and West, V. (2012). The Expungement Myth. *Albany Law Review*, 75, 1229-1237.

Darehshori, S., Kirchmeier, J., Brady, C. & **Mandery, E.** (2006). Empire State Injustice. *Cardozo Public Law, Policy and Ethics Journal*, 4, 85-120.

**Mandery, E.** (2005). Efficiency Considerations of Compensating the Wrongfully Convicted. *Criminal Law Bulletin*, 41, 287-301.

**Mandery, E.** (2004). Notions of Symmetry and Self in Death Penalty Jurisprudence. *Stanford Law & Policy Review*, 15, 471-518.

**Mandery, E.** (2003). The Principles of Proportionality Review. *Criminal Law Bulletin*, 39, 157-193.

**Mandery, E.** (2002). In Defense of Specific Proportionality Review. *Albany Law Review*, 65, 883-934.

**Mandery, E.** (1996). Due Process Considerations of In-Court Identifications. *Albany Law Review*, 60, 389-424.

**Mandery, E.** (1994). Qualified Immunity or Absolute Impunity: The Moral Hazards of Extending Qualified Immunity to Lower-Level Public Officials. *Harvard Journal of Law and Public Policy*, 17, 479-520.

### **Law Review Commentaries**

**Mandery, E.** (2007). Executing the Insane, Retribution and Temporal Justice. *Criminal Law Bulletin*, 43, 981-985.

**Mandery, E.** (2007). Cruel Shoes, Cruel Mothers and the Structured Consideration of Mitigating Evidence. *Criminal Law Bulletin*, 43, 394-407.

**Mandery, E.** (2006). A Human Death: Legal and Ethical Restraints on Methods of Execution. *Criminal Law Bulletin*, 42, 721-729.

**Mandery, E.** (2006). Mercy and Contrition. *Criminal Law Bulletin*, 42, 339-346.

**Mandery, E.** (2004). Massachusetts and the Changing Debate on the Death Penalty. *Criminal Law Bulletin*, 40, 518-522.

**Mandery, E.** (2004). Innocence as a Death Penalty Issue. *Criminal Law Bulletin*, 40, 78-82.

**Mandery, E.** (2003). Federalism and the Death Penalty. *Albany Law Review*, 66, 809-813.

### **Book Chapters & Forewords**

**Mandery, E.** (2011). Foreword to the Quid Pro Books edition of M. Meltsner, *Cruel and Unusual: The Supreme Court and Capital Punishment: Quid Pro*.

**Mandery, E.** (2006). Foreword. In R. Pilgrim & J. Sorensen, *Lethal Injection* (pp. ix-xi). Austin: University of Texas.

**Book Reviews**

**Mandery, E.** (2017) The Accidental Death Penalty [Review of *Courting Death*]. *Texas Law Review*.

**Mandery, E.** (2007). Death Lawyering. [Review of *Litigating in the Shadow of Death*]. *Law and Politics Book Review*, 17, 147-149.

**Longform Journalism and Op-Eds**

**Mandery, E.** (forthcoming, 2023) The Coopting of Disadvantage. How Whites Stole Affirmative Action. *Politico*.

**Mandery, E.** (2023, April 17) The Richest Get Even Richer: Will Harvard Ever Have Enough, Now With a New \$300 million Gift From Billionaire Kenneth Griffin. *New York Daily News*.

**Mandery, E. & Dannenberg, M.** (2023, April 1) Make Elite Colleges Do The Right Thing. *Boston Herald*.

**Mandery, E.** (2023, March 1) Where Rich Students Are Told ‘You Deserve This.’ *Chronicle of Higher Education*.

**Mandery, E. & Dannenberg, M.** (2022, December 15) Early Decision Programs Openly Stack the College Admissions Deck. *CNN.com*.

**Mandery, E.** (2022, December 2) The Case Against Private College Admissions Counselors. *Time*.

**Mandery, E.** (2022, November 3) Without You, Nothing Will Change. *Harvard Crimson*.

**Mandery, E.** (2022, October 31) The Supreme Court Is Set to Kill Affirmative Action. Just Not for White Kids. *Mother Jones*.

**Mandery, E.** (2022, October 30) A Rank Smell: America’s ‘Best’ Schools Propped Up a Terrible College Ranking System. *New York Daily News*.

**Mandery, E.** (2022, October 28) This is the Question the Supreme Court Needs to Ask Harvard. *CNN.com*.

**Mandery, E.** (2022, October 2) University of Hypocrisy. *The Atlantic*.

**Mandery, E.** (2022, September 27) What Trump Gets Right About Harvard. *Politico*.

**Mandery, E.** (2020, May 17) We’re About to Have the Longest Summer Vacation Ever. That’s Going to Be a Problem. *Politico*.

**Mandery, E.** (2020, January 19) One of Trump’s Lawyers Called the Other Dangerous. *Politico*.

**Mandery, E.** (2019, October 15) The Real Rudy. *Daily News*.

**Mandery, E.** (2019, October 13) What Teaching Ethics in Appalachia Taught Me About Bridging America's Partisan Divide. *Politico*.

**Mandery, E.** (2019, October 2) The Real Outrage in the Harvard Discrimination Decision. *Daily News*.

**Mandery, E.** (2019, May 22) Why I'm Boycotting My Harvard Reunion. *CNN.com*.

**Mandery, E.** (2019, March 12) In College Admissions the Real Scandal is What's Legal. *Daily News*.

**Mandery, E.** (2019, January 23). Why There's No Liberal Federalist Society. *Politico*.

**Mandery, E.** (2018, November 9). In the Harvard Lawsuit, No One Wins. *WBUR-Edify*.

**Mandery, E.** (2018, October 31). Et Tu, John Jay? *Above the Law*.

**Mandery, E.** (2018, May 11). What Happened to Alan Dershowitz? *Politico*.

**Mandery, E.** (2016, March 30). It's Been 40 Years Since the Supreme Court Tried to Fix the Death Penalty—Here's How It Failed. *The Marshall Project*. (Finalist, ABA Silver Gavel Award)

**Mandery, E.** (2015, November 12). An Invitation to End the Death Penalty. *Slate*.

**Mandery, E.** (2015, September 10). Teaching Working Students. *The New York Times*, p. M34.

**Mandery, E.** (2015, July 2). What Was Justice Breyer Really Saying? *The Marshall Project*.

**Mandery, E.** (2015, April 6). Why I'm Raising My Son to Be a Mets Fan. *Huffington Post*.

**Mandery, E.** (2015, February 26). The Great Empiricist. *The Marshall Project*.

**Mandery, E.** (2014, November 2). The Missing Campus Climate Debate. *The New York Times*, p. SR5.

**Mandery, E.** (2014, July 24). Gambling With Death. *Slate*.

**Mandery, E.** (2014, May 29). End Legacy Preference. *Harvard Crimson*.

**Mandery, E.** (2014, May 6). Why I'm Skipping My Harvard Reunion (A Call to Action). *Huffington Post*.

**Mandery, E.** (2014, April 24). End College Legacy Preferences. *The New York Times*, p.A25.

### **NON-ACADEMIC HONORS AND AWARD**

Creative Arts Emmy Award (2019)

Peabody Award (2019)

### ACADEMIC HONORS AND AWARDS

John Jay Scholarly Excellence Award (2015)

ABA Silver Gavel—Honorable Mention (2014)

Scribes Book Award—Second Place (2014)

John Jay College Presidential Award (2004)

Donal E. J. MacNamara Award for Outstanding Junior Faculty Member (2002)

Derek Bok Center Certificate for Distinction in Teaching (1991, 1992)

Frederick Sheldon Fellowship, Harvard University (1993-1994)

Harvard National Scholarship (1985)

### GRANT SUPPORT

<b>Mandery, E.</b> ( <i>PSC CUNY-41 Research Award Program</i> ; \$3,000.) Assessing Risk Posed by Exonerees.	2010-11
<b>Mandery, E.</b> ( <i>PSC CUNY-39 Research Award Program</i> ; \$5,000). The Supreme Court and the History of Capital Punishment, 1972-1976.	2008-09
<b>Mandery, E.</b> ( <i>John Jay College; Presidential Research Award</i> ; \$7,000). Notions of symmetry in death penalty jurisprudence.	2004-05
<b>Mandery, E.</b> ( <i>PSC CUNY-34; Research Award Program</i> ; \$4,900). The questionable narrowing function of aggravating factors in capital cases.	2003-04

### SIGNIFICANT PRESENTATIONS

**E. Mandery, D. Bruck, C. Steiker, S. Braga & N. Konrad** (February 6, 2018). Book Panel: *The Death Penalty at the 'End of Its Rope' and the Future of Criminal Justice*. University of Virginia School of Law.

**Mandery E.** (March 3, 2017) *Blind Justice: The Missed Opportunity of *McCleskey v. Kemp**. Hugo A. Bedau Memorial Lecture at Tufts University.

Caplan, L., Lain, C., **Mandery, E.** and Meltsner, M. (November 18, 2016) *Courting Death: The Supreme Court and Capital Punishment*. Panel Discussion at Harvard Law School Conference on The Supreme Court and Capital Punishment.

Kendall, G., Mandery, E., Meltsner, M. and Steiker, J. (March 31, 2016) *Gregg in Context*. Panel Discussion at ABA-Sponsored Conference at University of Texas Law School, “40 Years After *Gregg*.”

Shlosberg, A., Rajah, V. and **Mandery, E.** (November 20, 2015). *After Exoneration: The Innocence Movement and Exoneree Support*. Presentation to the Annual Conference of the American Society of Criminology.

Rajah, V., Shlosberg, A. and **Mandery, E.** (November 20, 2015). *The Experience of Closure*. Presentation to the Annual Conference of the American Society of Criminology.

Shlosberg, A., Ho., A. and **Mandery, E.** (November 20, 2015). *A Pure Test of Prisonization*. Presentation to the Annual Conference of the American Society of Criminology.

**Mandery, E.** (February 20, 2015). *Furman Challenges*. Florida Association of Criminal Defense Lawyers Death is Different (invited).

**Mandery, E.** (April 9, 2014). *A Wild Justice*. Presentation to the University of Texas Law Faculty (invited).

**Mandery, E.** (November 12, 2013). *Lightning Strikes: Arbitrariness and the Death Penalty*. Presentation to the American Bar Association National Symposium on the Death Penalty (invited).

**Mandery, E.** (September 19, 2013) *Years After Historic Ruling, Execution Still A ‘Random’ Justice*. NPR: Fresh Air. <http://www.npr.org/2013/09/19/221451565/years-after-historic-ruling-execution-still-a-random-justice>

**Mandery, E.** (March 19, 2013) *Teaching About the Death Penalty*. Presentation to the New York City Bar Association Capital Punishment Committee (invited).

**Mandery, E.** (June 9, 2012) *The Death and Resurrection of Capital Punishment in the United States, 1972-1976*. Presentation to the John Jay International Conference.

**Mandery, E.** (March 23, 2012) *The Death and Resurrection of Capital Punishment in the United States, 1972-1976*. Presentation to the Brooklyn Law School Capital Defender and Federal Habeas Clinic (invited).

**Mandery, E.,** Shlosberg, A., and Callaghan, B. (March 16, 2012). *Wrongful Conviction Compensation and Post-Release Offending Among Exonerees*. Presentation to the Annual Conference of the Academy of Criminal Justice Sciences.



**Mandery, E.** (November 30, 2011). *The Death and Resurrection of Capital Punishment in the United States, 1972-1976*. Presentation to the Northeastern Law School Faculty Colloquium (invited).

Shlosberg, A., **Mandery, E.**, and West. V. (December 19, 2011). *Wrongful Convictions: Post-Exoneration Offending and Assessing the Reliability of Exonerations*. Presentation to the Annual Conference of the American Society of Criminology.

Shemtob, Z. and **Mandery, E.** (December 20, 2011). *Supreme Convolution: Gregg v. Georgia and the Nature of Supreme Court Decision Making*. Presentation to the Annual Conference of the American Society of Criminology.

**Mandery, E.** (2005, January 21). *Death penalty in New York*. Testimony to New York State Assembly Standing Committees on Codes, Judiciary and Correction. New York, New York.

### TEACHING

#### **Undergraduate courses**

Constitutional Law

Criminal Law

Capital Punishment

Evidence

Jurisprudence

Law & Ethics

Legal Research

#### **M.A. courses**

Issues in Criminal Justice

Capital Punishment

#### **Ph.D. courses**

Capital Punishment

Legal and Philosophical Issues in Criminal Justice

### PROFESSIONAL MEMBERSHIPS AND SERVICE

#### **Service and participation in the discipline**

Editorial Board Member, *Criminal Law Bulletin*, 2010-Present

Member, Wolters Kluwer Criminal Justice Editorial Board, 2011-14

Manuscript Reviewer, *Justice Quarterly*

Manuscript Reviewer, *Crime and Delinquency*

Manuscript Reviewer, *Criminal Justice Ethics*

Manuscript Review, *Race and Justice*

Manuscript Reviewer, *Punishment and Society*

Member, Capital Punishment Committee, New York State Bar Association (2002-2005)

Member, Bar Association, New York State (inactive)

Member, Bar Association, Massachusetts (inactive)

**Service to the university and to the department**

Member, John Jay College Faculty Personnel Committee	2009-2017, 2021-present
Member, John Jay College Faculty Senate	2001-12
Member, John Jay College Council	2001-12
Member, Committee on Faculty Elections	2004-05
Member, Curriculum Committee	2003-04
Member, Presidential Committee on Critical Choices	2005-06
Member, Search Committee, Vice-President for Institutional Advancement	2005
Member, Search Committee, Vice-President for Student Affairs	2006
Member, Department Committee on Grade Appeals	2001-05
Chair, Department Committee on Grade Appeals	2004-05
Co-Director, Honors Program	2005-07
Member, Search Committee, Provost	2008