

# DAVID K. HAUSMAN

University of California, Berkeley, 885 Simon Hall, Berkeley, CA 94720-7200  
davidhausman@berkeley.edu

## EMPLOYMENT

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### UC Berkeley School of Law

Assistant Professor, 2022-present

### Stanford University

Postdoctoral Fellow, Digital Civil Society Lab 2021-22; Bill Lane Center for the American West, 2020-21; Affiliate, RegLab & Immigration Policy Lab.

### ACLU Immigrants' Rights Project

Skadden Fellow/Attorney, 2016-2019. Consulting Expert, 2014-present.

### The Honorable Stephen F. Williams

*Law Clerk*, 2015-2016, United States Court of Appeals for the D.C. Circuit

## EDUCATION

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Stanford University, J.D. 2015, Ph.D. in Political Science, 2020

Harvard University, A.B. in Social Studies, 2008, *magna cum laude*

## RESEARCH

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### Peer-Reviewed

[\*The Illusory End of Stop-and-Frisk in Chicago?\*](#), SCIENCE ADVANCES 9 (2023) (showing that Chicago police turned to traffic stops when pedestrian stops were restricted) (covered by [Science News](#) and [ABC News](#)).

[\*Executive Control of Agency Adjudication: Capacity, Selection, and Precedential Rulemaking\*](#), JOURNAL OF LAW, ECONOMICS & ORGANIZATION (2022) (with Daniel E. Ho, Mark Krass, and Anne M. McDonough) (evaluating the Trump administration's methods of controlling the immigration courts).

[\*Sanctuary Policies Reduce Deportations Without Increasing Crime\*](#), 117 PROCEEDINGS OF THE NATIONAL ACADEMY OF SCIENCES 27262 (2020) (evaluating effect of sanctuary policies). Coverage in the [Washington Post](#), the [Hill](#), the [Chicago Tribune](#), [Philadelphia Magazine](#), the [Volokh Conspiracy](#), and [Cato @ Liberty](#).

[\*Rights, Redistribution, and the Political Economy of Disability Discrimination Laws\*](#), JOURNAL OF LAW & SOC. INQUIRY 1 (2021) (with David Freeman Engstrom).

[\*Measuring the Economic Effect of Alien Tort Statute Liability\*](#), 32 JOURNAL OF LAW, ECONOMICS & ORGANIZATION 794 (2016) (with Darin Christensen).

[\*Risk Assessment as Policy in Immigration Detention Decisions\*](#), revise and resubmit, JOURNAL OF LAW AND ECONOMICS.

## Law Review

*When Jurisdiction Stripping Raises Factual Questions*, 101 WASHINGTON UNIVERSITY LAW REVIEW \_\_ (forthcoming 2024) (identifying a catch-22 in immigration jurisdiction doctrine that makes certain rights violations unreviewable).

[\*The Unexamined Law of Deportation\*](#), 110 GEORGETOWN L. J. 973 (2022) (showing empirically that criminal convictions largely determine who is deported and arguing normatively that such prioritization by criminality is only rarely justifiable).

[\*Reviewing Administrative Review\*](#), 38 YALE J. REG. 1059 (2021) (proposing theory of administrative review, testing theory with Social Security Appeals Council data, and finding that review promotes uniformity as a result of litigants' decisions about whether to appeal).

[\*The Failure of Immigration Appeals\*](#), 164 U. PENN. L. REV. 1177 (2016) (finding that immigration appeals fail to moderate disparities across immigration judges because harsh immigration judges evade review by preventing noncitizens from finding counsel).

## Symposium Pieces, Book Chapters, and Notes

[\*Brevity, Speed, and Deference: An Account from the Williams Chambers\*](#), 38 YALE J. REG. 745 (2021) (with Daniel E. Ho & Anne Joseph O'Connell).

[\*When Congress Requires Nationwide Injunctions\*](#), 91 COLO. L. REV. 835 (2020) (symposium issue).

[\*Nationwide Injunctions and Nationwide Harm\*](#), 131 HARV. L. REV. FORUM 49 (2017) (with Spencer Amdur) (cited in *Trump v. Hawaii*, 138 S. Ct. 2392, 2429 (2018) (Thomas, J., concurring), *California v. United States*, 941 F.3d 410, 421-22 (9th Cir. 2019) and *City of Chicago v. Barr*, 957 F.3d 772, 802 (7th Cir. 2020)).

[\*Time, Due Process, and Representation: An Empirical and Legal Analysis of Continuances in Immigration Court\*](#), 84 FORDHAM L. REV. 1823 (2016) (with Jayashri Srikantiah) (symposium issue) (cited in *Hernandez Lara v. Barr*, 962 F.3d 45 (1st Cir. 2020)).

Note, [\*How Congress Could Reduce Job Discrimination by Promoting Anonymous Hiring\*](#), 64 STAN. L. REV. 1343 (2012).

## SELECTED PRESENTATIONS

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Center for the Study of Law and Society, *Did Trump's Border Policies Deter Migration?*, September 18, 2023

American Enterprise Institute Immigration Colloquium, *How Police Respond to Increased Immigration Enforcement*, May 5, 2023.

Berkeley Law Faculty Workshop, *How Police Respond to Increased Immigration Enforcement*, April 18, 2023

Michigan State University Law School, Faculty Workshop, *President Trump and Immigration Law*, April 12, 2021.

UCLA Emerging Immigration Scholars Workshop, *President Trump and Immigration Law*, February 12, 2021.

AALS New Voices in Administrative Law Session, *Reviewing Administrative Review*, January 11, 2021.

American Statistical Association, Joint Statistical Meetings, Statistics at the Border, *Studying Sanctuary and Using Administrative Immigration Data*, August 2020.

Migration and Citizenship LSA Pre-Conference, *The Manipulation of Algorithmic Decisionmaking and the Expansion of Immigration Detention*, May 2020.

Law and Society Association Meeting, *Sanctuary, Deportations, and Crime*, May 2020.

Administrative Conference of the United States Forum: *Nationwide Injunctions and Federal Regulatory Programs*, February 2020.

Junior Faculty Federal Courts Workshop, *When Appellate Review Means No Review*, September 2019.

Rothberger Constitutional Law Conference – National Injunctions, *What Systemwide Challenges to Expedited Removal Mean for Nationwide Injunctions*, April 2019.

Northwestern Legal Studies Department, *Fighting the Trump Administration’s Deportation Machine in Court*, Northwestern University, February 2019.

Harvard Immigration Project Symposium: Advocacy in Times of Crisis, *Challenging the Muslim Ban in Court*, Harvard Law School, March 2018.

Conference on Empirical Legal Studies, *Rights, Redistribution, and the Political Economy of Disability Discrimination Laws*, Duke University, with David Engstrom, November 2016.

Administrative Law New Scholarship Roundtable, *Consistency and Administrative Review*, Michigan State University, June 2016.

American Society for Legal History Annual Meeting, *The History of Immigration Bond*, Washington, D.C., October, 2015.

Fordham Law School, Lawyering in the Regulatory State Symposium, *Continuances in Immigration Court*, with Jayashri Srikantiah, October, 2015.

Stanford Law School, *Legal Representation of Detained Immigrants in Northern California*, with Jayashri Srikantiah, May, 2015.

University of Texas-Austin Public Law Graduate Student Conference, *The Failure of Immigration Appeals*, October 30-31, 2014.

Workshop on the Normative Implications of Empirical Research on Courts, *Government Noncompliance with Constitutional Court Orders in South Africa*, May, 2013, Washington D.C.

## **PROFESSIONAL ACTIVITIES AND MEMBERSHIPS**

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Reviewer, Yale Law Journal; Journal of Law and Economics; Proceedings of the National Academy of Sciences; Journal of Empirical Legal Studies; Journal of Public Economics.  
New York Bar (2017).

## **TEACHING**

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Civil Procedure, Fall 2022 & Fall 2023  
Immigration Law, Spring 2023 & Spring 2024