

WILLIAM W. BERRY III PUBLICATIONS

49. *Cruel Methods, Unusual Secrets*
77 OHIO ST. L.J. __ (forthcoming 2017)(with M. Ryan).
48. [*Amending Amateurism*](#)
68 ALA. L. REV. __ (forthcoming 2016).
47. [*Normative Retroactivity*](#)
19 U. PA. J. CONST. L. __ (forthcoming 2016).
46. [*Restorative Innocence*](#)
68 FLA. L. REV. __ (forthcoming 2016), *Voices on Innocence* essays (with L. Dervan, V. Beety, G. Gilchrist, R. Leo, and M. Ryan).
45. [*The Retroactivity Roadmap*](#)
10 NYU J. L. & LIBERTY 179 (2016).
44. [*Playoff Profits for Academic Programs*](#)
5 MISS. SPORTS L. REV. 1 (2016).
43. [*Remembering Furman's Comparative Proportionality*](#)
101 IOWA L. REV. ONLINE 65 (2016).
42. [*Life-with-Hope Sentencing*](#)
76 OHIO ST. L.J. 1051 (2015).
41. [*Implementing Just Mercy*](#)
94 TEXAS L. REV. 331 (2015).
40. [ENTERTAINMENT, MEDIA, AND THE LAW \(5TH EDITION\)](#)
WEST ACADEMIC PUBLISHING (with Paul Weiler and Gary Myers)(2015).
39. [*Eighth Amendment Presumptions*](#)
89 S. CAL. L. REV. 67 (2015).
38. [*Humanizing the Condemned: A Review of The Forgotten Men*](#)
CRIMINAL LAW & CRIMINAL JUSTICE BOOKS, (November 2015)(invited contribution).
37. [*Preview of Montgomery v. Louisiana*](#)
43 ABA SUP. CT. PREVIEW __ (2015).
36. [*Preview of Kansas v. Gleason*](#)
43 ABA SUP. CT. PREVIEW __ (2015).

35. [*The Perils of Private Adjudication: A Review of Civil Justice, Privatization, and Democracy*](#)
24 INT'L CRIM. J. REV. 411 (2015)(invited contribution)(peer reviewed).
34. [*Assessing Rough Justice and the ICC's Quest for Legitimacy*](#)
24 INT'L CRIM. J. REV. 135 (2015)(invited contribution)(peer reviewed).
33. [*The Myth of Memorization as Education*](#)
E-MANTLE NEWSLETTER, Ctr. Educ. Teach. & Learning, Univ. of Miss. (Nov. 2015).
32. [*Ending the Death Lottery*](#)
76 OHIO ST. L.J. 67 (2015).
31. [*Procedural Proportionality*](#)
22 GEORGE MASON L. REV. 259 (2015).
30. [*Preview of Whitfield v. United States*](#)
42 ABA SUP. CT. PREVIEW 92 (2014).
29. [*Preview of Johnson v. United States*](#)
42 ABA SUP. CT. PREVIEW 50 (2014).
28. [*Writing \(and re-writing\) Federal Criminal Law in the Classroom*](#)
11 OHIO ST. J. OF CRIM. L. 767 (2014).
27. [*Preview of Integrity Staffing Solutions v. Beck*](#)
42 ABA SUP. CT. PREVIEW 22 (2014).
26. [*How Labor Law Could Save the NCAA*](#)
SLATE.COM, March 31, 2014.
25. [*The Power of Level Three Thinking*](#)
E-MANTLE NEWSLETTER, Ctr. Educ. Teach. & Learning, Univ. of Miss. (Mar. 2014).
24. [*Preview of Abramski v. United States*](#)
41 ABA SUP. CT. PREVIEW 162 (2014).
23. [*Preview of United States v. Castleman*](#)
41 ABA SUP. CT. PREVIEW 166 (2014).
22. [*The Mandate of Miller*](#)
51 AM. CRIM. L. REV. 327 (2014).

21. [*Criminal Constitutional Avoidance*](#)
104 J. OF CRIM. L. & CRIMINOLOGY 105 (2014).
20. [*Educating Athletes*](#)
81 TENN. L. REV. 795 (2014).
19. [*Preview of Peugh v. United States*](#)
40 ABA SUP. CT. PREVIEW 208 (2013).
18. [*Preview of McQuiggin v. Perkins*](#)
40 ABA SUP. CT. PREVIEW 205 (2013).
17. [*Eighth Amendment Differentness*](#)
78 MO. L. REV. 1053 (2013)(symposium).
16. [*Foreword*](#)
1 MISS. SPORTS L. REV. 245 (2012).
15. [*Right about Wrongs?*](#)
44 CONN. L. REV. 1677 (2012)(invited contribution).
14. [*Practicing Proportionality*](#)
64 FLA. L. REV. 687 (2012).
 - Cited by *State v. Pruitt*, 415 S.W. 180 (Tenn. 2013)(Koch, J., dissenting).
13. [*Separating Retribution from Proportionality*](#)
97 VA. L. REV. IN BRIEF 61 (2011).
12. [*The European Prescription for Ending the Death Penalty*](#)
2011 WISCONSIN L. REV. 1003 (2011).
11. [*Mitigation in Federal Sentencing in the United States*](#)
MITIGATION AND AGGRAVATION AT SENTENCING (J. V. Roberts, ed.), CAMBRIDGE UNIV. PRESS (2011).
10. [*Promulgating Proportionality*](#)
46 GA. L. REV. 69 (2011).
 - Cited by *State v. Cox*, 2016 WL 10789 (Ohio Ct. App. 2016)(Gallagher, J., dissenting).
9. [*Repudiating Death*](#)
101 J. OF CRIM. L. & CRIMINOLOGY 439 (2011).
8. [*Preview of Perry v. New Hampshire*](#)
39 ABA SUP. CT. PREVIEW 80 (2011).

7. [*Preview of Walker v. Martin*](#)
38 ABA SUP. CT. PREVIEW 118 (2010).
6. [*More Different than Life, Less Different than Death*](#)
71 OHIO STATE L.J. 1109 (2010).
 - Cited by *State v. Lyle*, 854 N.W. 2d 378 (Iowa 2014).
5. [*Ending Death by Dangerousness*](#)
52 ARIZ. L. REV. 889 (2010).
4. [*Extraordinary and Compelling*](#)
68 MD. L. REV. 850 (2009).
 - Reprinted in PAROLE: JUDICIAL REFLECTIONS (R. Satyanarayana, ed.), Amicus Books (2010).
3. [*American Procedural Exceptionalism*](#)
17 CORNELL J. OF L. & PUB. POL'Y 481 (2008).
2. [*Discretion without Guidance*](#)
40 CONN. L. REV. 631 (2008).
 - Cited by *United States v. Elmore*, 743 F.3d 1068 (6th Cir. 2014).
1. [*Following the Yellow Brick Road of the Evolving Standards of Decency*](#)
28 PACE L. REV. 15 (2007).
 - Cited by *Connecticut v. Santiago*, No. SC 17413 (Conn. 2015)(Rogers, C.J., dissenting).