

WE SHOULD HAVE LISTENED TO ANITA

Twenty Years Later One Woman's Testimony Haunts One Justice



JUSTICE THURGOOD MARSHALL



HE FOUND HIM: CLARENCE THOMAS



HILL HAD WORKED FOR THOMAS AT THE EEOC



FIRST MEDIA CIRCUS



HER TESTIMONY WAS GRAPHIC



THOMAS DENIED EVERYTHING



HILL PLACED A FOCUS ON SEXUAL HARASSMENT IN THE WORKPLACE

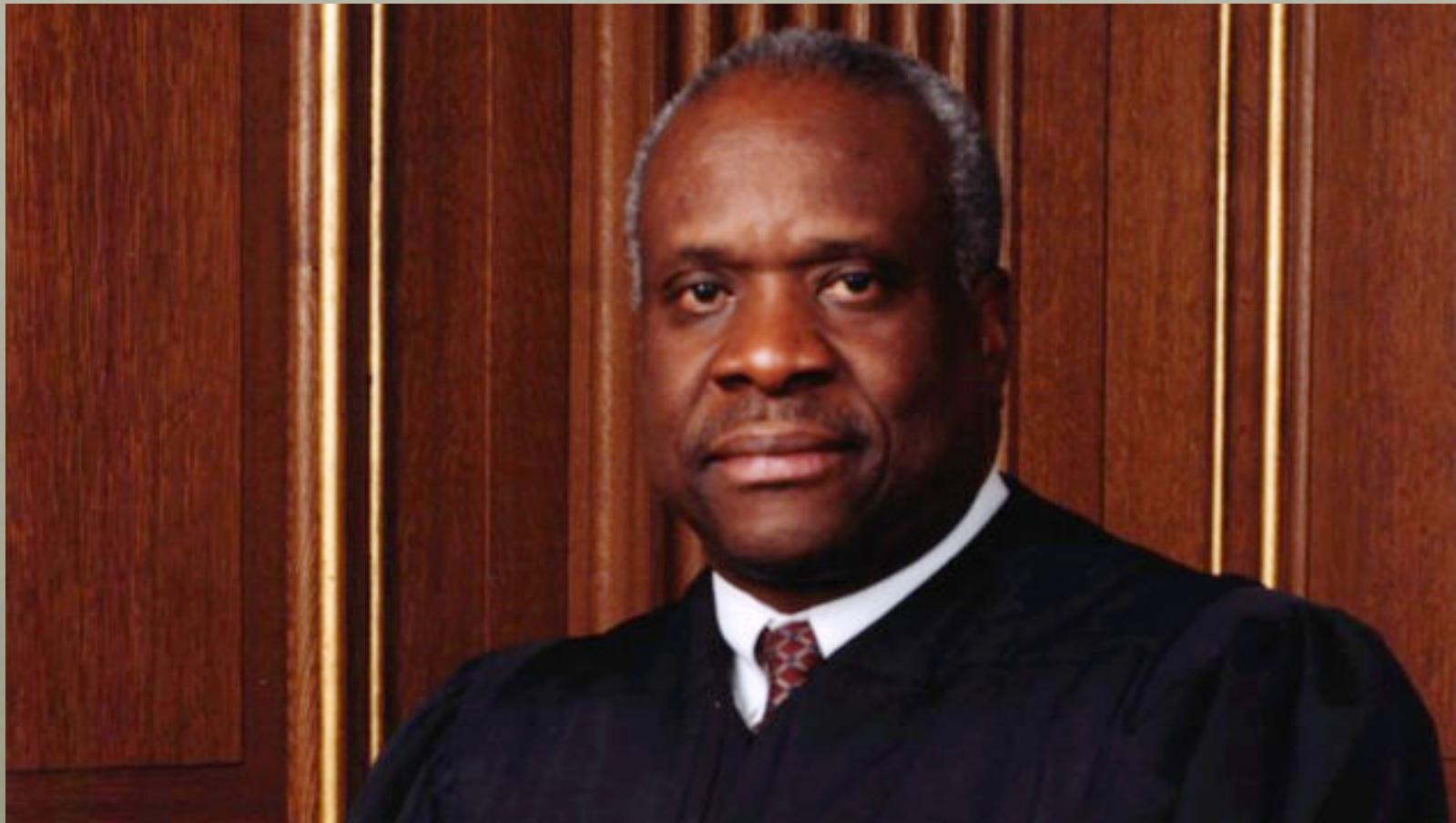
REAL-LIFE STORIES

SEX AND THE BOSS

Anita Hill put
the issue on the
front page. Here are
the experiences of
six other women who

The image shows the cover of a magazine. On the left, there is a large title graphic for "REAL-LIFE STORIES" followed by "SEX AND THE BOSS" in large red letters. Below the title is a block of text about Anita Hill. On the right side of the cover is a large, close-up photograph of Anita Hill looking off to the side with a serious expression. In the bottom right corner, there is a small inset photograph of another woman with blonde hair.

THOMAS WAS CONFIRMED: OCTOBER 23, 1991



THE SUPREME COURT DATABASE

THE
SUPREME COURT
DATABASE



ABOUT

DATA

JUSTICECENTERED_LEGALPROVISION.CSV

- Cases Organized by Issue/Legal Provision Including Split Votes
- *Rows Included: 115,535*
- This dataset includes the very rare instances when the Court has multiple vote coalitions on a single issue or legal provision. The dataset contains up to two sets of justice votes for each issue and legal provision. (For users of the legacy dataset ANALU=0, 1, 2, 3, 4, or 5.)
- click to show/hide download options

[SCDB 2013 01 justiceCentered Vote.csv.zip | 1.9 MB](#)

[SCDB 2013 01 justiceCentered Vote.dta.zip | 2.1 MB](#)

[SCDB 2013 01 justiceCentered Vote.por.zip | 4.1 MB](#)

[SCDB 2013 01 justiceCentered Vote.Rdata.zip | 1.6 MB](#)

[SCDB 2013 01 justiceCentered Vote.sav.zip | 4.8 MB](#)

[SCDB 2013 01 justiceCentered Vote.xlsx.zip | 15.8 MB](#)

[SCDB 2013 01 justiceCentered Vote.xpt.zip | 2.7 MB](#)

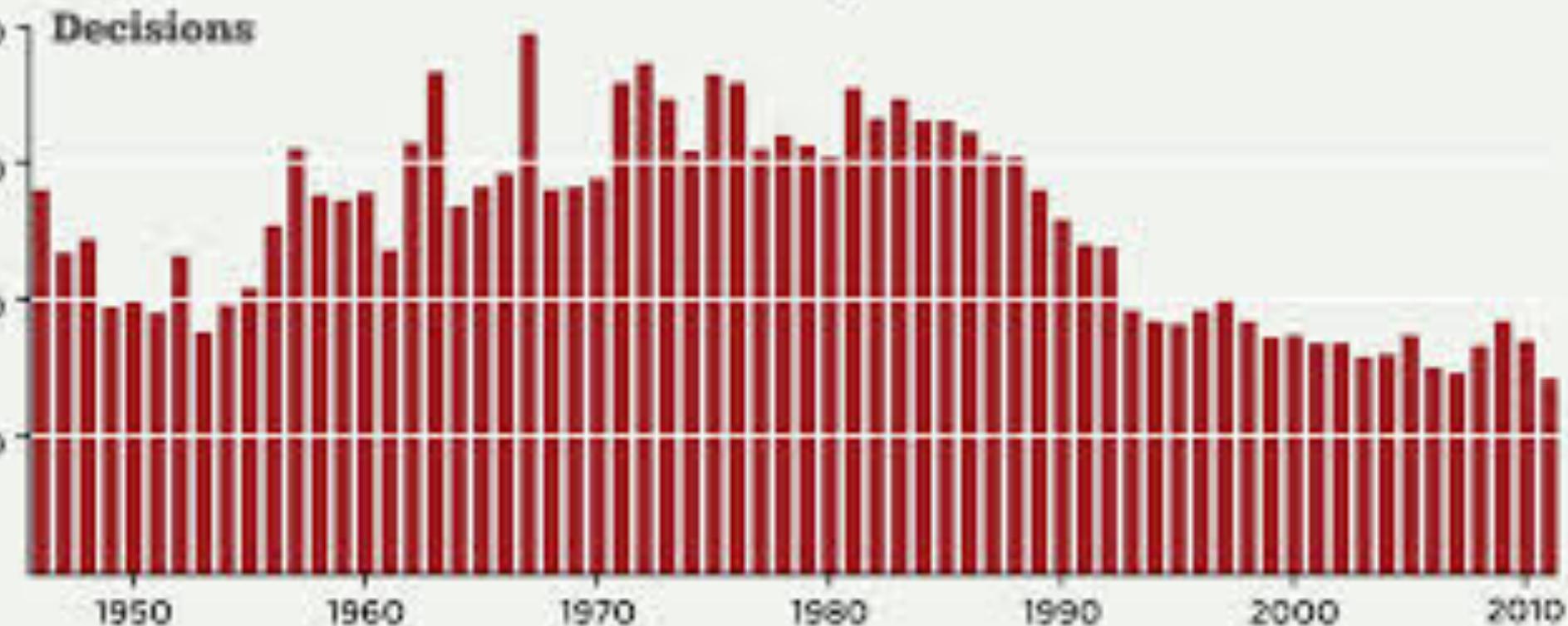
- Once loaded, pandas was extremely helpful to parse the data as was Boolean indexing.

GENERAL INFO

- Because my analysis concerned productivity, I needed to get a feel for how many cases come before the Court annually:
- In 2012 there were over 7000 petitions for certiorari;
- 80 cases accepted for oral argument; 50 for review, 130 total;
- Term = first Monday in October – last Friday in June;
- The number of cases the Court now hears has decreased significantly, while petitions for cert ^

COURT CASES HAVE DECREASED

S. Supreme Court Decisions By Term



MY INITIAL HYPOTHESIS WAS NOT SUPPORTED BY THE DATA

- Justice Thomas is productive, not as reported. From 1991-2012 wrote 437 opinions; earlier reports only analyzed the variable “majOpinWriter” not a fair analysis.
- Justices can write opinions in 7 different other ways not included in that analysis.
- Justice Thomas during this timeframe voted in 2,668 cases.
- Justice Thomas wrote 216 majority opinions, his legacy, what = precedent for future cases.
- Justice Thomas favorite areas to write about: first, economics, cases involving disputes about money; second, criminal procedure; third, judicial power.
- This is different than cases written about by the Court as a whole during the Thomas era, where the majority of opinions were first in criminal procedure, second in civil rights and third in economic cases.

MORE CONCLUSIONS

- Justice Thomas is not the outlier rumored to be. The vast majority of the time, over 80% of his time on the Court, he votes with the majority of the Court.
- The “decisionDirection” variable indicates that all the current Justices, including Chief Justice Roberts and Justice Scalia are getting more liberal.
- Conversely, Justices Thomas, Alito and Kagen are getting more conservative.

SEXUAL HARASSMENT CASES

- What about sexual harassment cases during his tenure?
- Data indicates 29 sexual harassment cases, involving two variables, during the Thomas Era. Well over half the time Thomas votes with the majority, although not in as high a percentage as he normally votes with the Court.
- Abortion cases? 22 heard during the Thomas Era and he voted with the majority, but again, his percentages in these areas are lower than his voting with the majority in other substantive areas.
- Bottom Line: If you have a sexual harassment case or abortion case before the Court, Justice Thomas has a greater chance of voting apart from the majority of the Court.

PROBLEMS WITH THE DATABASE

- ◆ It's an amazing resource with 247 pieces of information about each case. But it's missing the most important data: the opinions of the Court. The data has the citation to the opinion but not the actual opinion.
- ◆ Went to another database, Westlaw, and downloaded the 216 cases to my server in html. The size of the file was enormous.
- ◆ You need to analyze a Justice's words. If you could add this data, the words, the opinions to the dataframe I built, something truly special. There is a common id, the Supreme Court identification number for the case.

WESTLAW RAW SOURCE CODE

```
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content="IE=edge,chrome=IE6" /><title>
WestlawNext
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rel='stylesheet' />
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rel='stylesheet' />
```

SAGA CONTINUES



MEET JUDY

