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Introduction

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INTRODUCTION

The Editors of the New Mexico Law Review dedicate this issue to University of New Mexico Law Professor Jim Ellis. The School of Law hosted a banquet in honor of Professor Ellis in October of 2007. At that event, Professor Tony Amsterdam delivered a moving speech thanking Professor Ellis for his lifetime of achievements working on behalf of individuals with intellectual disabilities, and we are thrilled to reproduce that speech here. As his students, we would also like to thank Professor Ellis for his teaching. In his inimitable style, he has stretched the minds of generations of law students, pushing us to think deeply, anticipate counterarguments, and see the world through his piercing eyes. As Professor Amsterdam's remarks illustrate, Professor Ellis has also taught us to keep a sense of humor about the law's foibles and shortcomings. Professor Ellis, thank you for your dedication to your students and for your work to make the law more humane, rational, and just.

A large portion of Professor Ellis's work has been in the area of the death penalty, and it is appropriate that the next article in the issue is Marcia Wilson's study collecting statistics on the administration of the death penalty in New Mexico. We hope this information will be useful to practitioners and policy-makers alike as the State continues to grapple with this important issue.

The remaining articles in the issue cover an exciting mix of topics pertinent to both New Mexico and the broader legal community. First, in "*This Is Like Déjà Vu All Over Again*": *The Third, Constitutional, Attack on the Admissibility of Police Laboratory Reports in Criminal Cases*, Professor Edward J. Imwinkelried explores the admissibility of scientific reports in the wake of the Supreme Court's recent Confrontation Clause cases, *Crawford v. Washington* and *Washington v. Davis*. Next, in *Unintended Consequences: How Antidiscrimination Litigation Increases Group Bias in Employer-Defendants*, Professor Jessica Fink applies recent developments in psychology to the employment discrimination context and finds that employment discrimination litigation may exacerbate bias on the part of employers. To correct this problem, Professor Fink advocates creative problem-solving, therapeutic jurisprudence, and alternative dispute resolution.

In *The Trafficking and Exploitation Victims Assistance Program: A Proposed Early Response Plan for Victims of International Human Trafficking in the United States*, Professor Marisa Silenzi Cianciarulo outlines the immigration system's shortcomings in handling victims of human trafficking. She proposes an improved early response system as well as expanded visa eligibility to better protect the victims of human trafficking once they come into contact with immigration and law enforcement authorities.

Returning again to an issue of particular interest to New Mexico, Professor Patrick Tolan's article, *Natural Resource Damages Under CERCLA: Failures, Lessons Learned, and Alternatives*, examines the daunting challenge of quantifying and recovering natural resource damages. He describes approaches taken by different States, including New Mexico, in their attempts to recover these damages, and identifies which strategies have been successful to date.

Finally, we conclude the issue with a student comment. In *Indian Self-Determination: The Federal Government, New Mexico, and Tribes in the Wake of Cherokee*, Reed Easterwood takes a provocative look at how Supreme Court decisions regarding tribal court jurisdiction undercut federal policy supporting tribal self-government and compares this treatment to *Lochner*-era cases striking down State legislation. He also argues that States and Tribes have common economic interests in developing tribal institutions, including tribal courts, and suggests that one way to develop tribal courts in light of their narrow jurisdiction may be through certifying questions of tribal law to them.

Whether you are a practitioner or a scholar, we hope you find this issue interesting and useful!

Nat Chakeres, Editor-in-Chief