

AALS Criminal Justice Section Newsletter

November 2006

Chair's Message

Wayne A. Logan

William Mitchell College of Law

As fall descends, I write to provide Criminal Justice Section members with an update on past and future Section activities.

Since being elected Chair in January, I have been privileged to work with Chair-elect Kyron Huigens (Cardozo) and Secretary Cynthia Lee (George Washington). In addition to planning for the January 2007 annual meeting in Washington, D.C. (more on this below), we've been engaged in several tasks.

As for past activities, we have continued our effort to revamp the Section's web site, which can be accessed at <http://aalscriminaljustice.com/pages/1/index.htm>. We hope to make the site as useful as possible, so please contact Kyron (khuigens@yu.edu) with your suggestions. Over the summer, we also had a gratifying response to our rejuvenated mentor program, which pairs newcomers to our profession with more established colleagues. Thanks to those of you who volunteered to participate; I know our new colleagues are extremely grateful. Shortly thereafter, in early September, we received an unprecedented number of submissions for the Section's "Junior Scholar" Paper Competition (now in its third year), providing yet more evidence of the quality, depth, and vitality of our field.

Another distinct highlight of the year was the mid-year meeting in Vancouver, British Columbia, this past June. The panels were excellent, as was the turn out, and a wonderful time was had by all.

Now, a few words about the future. The 2007 annual meeting in D.C. will feature three events of particular interest to Section members.

The first is our annual luncheon, which is to take place on Friday, January 5, from 12:15-1:30 p.m.

The gathering is a wonderful chance to visit and catch up with one another in an informal atmosphere. In addition, keeping with recent tradition, this year's winner of the Junior Scholar Paper Competition will be announced. The winner, now known but whose identity is held in strict confidence, will briefly discuss his/her work and take questions. Please note that tickets for the luncheon must be purchased from AALS in advance.

Later on January 5, from 3:30-5:15 p.m., we will hold the first of two programs, a panel entitled "Insanity and Beyond: Current Issues in Mental Disability and Criminal Justice." Co-sponsored with the Section on Law and Mental Disability, the panel will explore the role of mental disability in the criminal law, addressing such topics as the Supreme Court's recent decision in *Clark v. Arizona* and the death penalty. A stellar slate of panelists will provide their insights: Richard Bonnie (Virginia), Deborah Denno (Fordham), Chris Slobogin (Florida), and Howard Zonana (Yale

Psychiatry). Professor Slobogin, who was instrumental in pulling together the panel, will moderate.

Immediately after the January 5 panel, the Section will have a brief business meeting at which next year's officers will be selected, new plans will be discussed, and some proposed technical changes to the Section's by-laws will be considered for adoption. Please make plans to stay for this brief but important meeting and volunteer to serve on next year's Executive Committee.

The second program, scheduled for Saturday, January 6, from 9-10:45 a.m., is a panel co-sponsored by the Sections on Minority Groups and Professional Responsibility, entitled "Prosecution and Racial Bias: An Attempt to Measure, Understand, Confront and Manage the Problem." The panel will discuss ongoing research by the Vera Institute of Justice of New York in several U.S. cities dedicated to assessing the influence of possible racial bias in prosecutorial decision making and potential ways to limit its occurrence and effect. The panel, ably assembled by David Harris (Toledo), will include presentations from Angela Davis (American) and David Harris (Toledo), as well as Peter Gilchrist (District Attorney, Mecklenburg County, N.C.) and Wayne McKenzie (Vera Institute). Fred Zacharias (University of San Diego) will serve as moderator.

It's been an honor to serve as Section Chair and I look forward to seeing you in D.C. in January.

AALS Mid-Year Meeting and Criminal Justice Workshop in Vancouver

The AALS Mid-Year Meeting in Vancouver, Canada included a Criminal Justice Section workshop from June 14-16, 2006. This multi-day workshop provided an opportunity for criminal law and procedure scholars to enjoy some time together reflecting upon recent developments in the criminal justice field in a quickly changing world. The workshop focused on cross-disciplinary work and recent developments in criminal law and procedure.

The workshop opened on Wednesday, June 14, 2006, with a panel moderated by Sharon Davies entitled "Learning from History," featuring Tracey Maclin, Carol Steiker, and David Sklansky. The next morning, Frank Rudy Cooper, Kim Forde Mazrui, and Mario Barnes (with Angela Davis moderating) were the featured speakers on a panel entitled "Integrating the Lessons of Race and Gender Theory." Panelists Richard Berk, Bryan Stevenson and Jeffrey Fagan spoke on "Learning from Economics: New Evidence: Does the Death Penalty Deter?" Our keynote speaker at lunch on Thursday, June 15, 2006, was Michael Tigar (American University) who spoke on "Paradigms in Teaching Criminal Law." That afternoon, Shari Diamond, Dan Simon, and Chris Slobogin spoke on a panel entitled "Learning from Psychology," moderated by Tamara Piety. On Friday, June 16, 2006, Tracey Meares, Austin Sarat, and Jonathan Simon kicked off the morning speaking about "Learning from Sociology and Political Science (moderated by Dan Doernberg). We closed with a panel on "Teaching What We Have Learned" featuring

Kate Bloch, David Harris, and Cynthia Lee (moderated by Angela Davis).

A big thanks to the Planning Committee for the AALS Workshop on Criminal Law and Procedure: Sharon Davies (Ohio State), Angela Davis (American), Don Doernberg (Pace) and Tamara Piety (Tulsa). A special thanks to Sharon Davies, immediate past Chair of the AALS Section on Criminal Justice, who chaired this planning committee.

Exam Bank

The AALS Criminal Justice Section is desperately in need of submissions to our exam bank. All members of the section are allowed to take or borrow ideas from the exam bank which can be found on our website. We just ask members to contribute an exam or two to the exam bank so we can keep it current. If you have an exam to contribute, please e-mail it to Chair-Elect Kyron Huigens at khuirgens@yu.edu. You can access the Exam Bank on our website at <http://aalscriminaljustice.com/home.html>.

Member News

Awards, Appointments, Promotions, Moves

Thanks to all those who responded to the call for news.

Laura I. Appleman joined the faculty of Willamette University College of Law in 2006. Laura graduated from Yale Law School, and received her B.A. and M.A. in English from the University of Pennsylvania. After graduation in 1998, she served as law clerk to A. Wallace Tashima on the Ninth Circuit Court of Appeals. From 2000-2005, she was a criminal appellate public defender at the Center for Appellate Litigation. From 2005-06, she was a visiting assistant professor at Hofstra University School of Law. She teaches Criminal Law, Criminal Procedure and Sentencing.

Donald Braman joined the faculty at the George Washington University Law School this August. He recently published *Punishment and Accountability in the UCLA Law Review and Criminal Law and the Pursuit of Equality* in the *Texas Law Review*.

Professor **Paul Butler**, George Washington University Law School, has been awarded a Soros Justice Fellowship to write a book on the future of criminal justice. His forthcoming article "*When Judges Lie (And When They Should)*" will be published in the *Minnesota Law Review* and his article "*Rehnquist, Racism, and Race Jurisprudence*" will be published in the *George Washington University Law Review*. Paul was a member of the American Bar Association's American Jury Project. Last Spring he participated in the Criminal Justice Roundtable at the University of Chicago. Recently he has lectured on hip-hop and criminal law, based on his *Stanford Law Review* article "*Much Respect: Toward a Hip-Hop Theory of Punishment*" at the University of Mississippi, Iowa Law School, the University of Chicago, the University of Pittsburgh, the University of North Carolina and Albany Law School.

Ed Butterfoss, Hamline University School of Law, completed his two-year term as Chair of the ABA Accreditation Committee in August; he will continue to serve on the Committee for the 2006-07 year. His article, "*A Suspicionless Search and Seizure Quagmire: The Supreme Court Revives the Pretext Doctrine and Creates Another Fine Fourth Amendment Mess*," will be published in Volume 40 of the *Creighton Law Review* in the spring.

Professor **Bennett Capers**, Hofstra Law School, recently published "*The Trial of Bigger Thomas: Race, Gender, and Trespass*," 31 *NYU Review of Law & Social Change* 101 (2006). He also delivered the Fall 2006 Distinguished Faculty Lecture at Hofstra University, based on his

paper "*Justitia, Race, Gender, and Blindness*," forthcoming in the Michigan J. of Race & Law.

Professor **Catherine Carpenter**, Southwestern Law School, was named the Justice Marshall F. McComb Professor of Law. She recently published *The Constitutionality of Strict Liability in Sex Offender Registration Laws*, 86 B.U. L. Rev 295 (2006).

Frank Rudy Cooper of Suffolk University Law School in Boston presented his work-in-progress, "*Who's the Man?": Performing Masculinity in Terry v. Ohio*" at the Criminal Justice Section's mid-year meeting in Vancouver. His earlier thoughts on masculinity can be found in *Against Bipolar Black Masculinity: Intersectionality, Assimilation, Identity Performance, and Hierarchy* 39 U.C.-Davis L. Rev. 853 (2006) (critically reviewing intersectionality theory, identity performance theory, representations of black men). He recently published a book chapter, *The "Seesaw Effect" From Racial Profiling to Depolicing: Toward a Critical Cultural Theory*, in *The New Civil Rights Research: A Constitutive Approach* (Benjamin Fleury Steiner & Laura Beth Nielsen eds., 2006) (tracing *Terry's* seesaw effect from racial profiling to depolicing in New York City and identifying a critical cultural theory methodology). He has an essay in the Teaching From the Left symposium, *The Spirit of 1968: Toward Abolishing Terry Doctrine*, 31 N.Y.U. Rev. L., & Soc. Change ____ (forthcoming 2007) (encouraging Left scholars to call for abolishing *Terry* doctrine). Available at <http://ssrn.com/abstract=920145> and <http://ssrn.com/abstract=920145> and <http://lsr.nellco.org/suffolk/fp/papers/26>. <http://lsr.nellco.org/suffolk/fp/papers/26>

Andrea Dennis, Assistant Professor of Law, joined the University of Kentucky College of Law faculty in 2006. She teaches criminal law, criminal trial process, children and the law, and family law. Her research interests currently focus on

criminal law and justice, and popular culture. Before turning to academia, Professor Dennis spent three years as an Assistant Federal Public Defender for the District of Maryland. Prior to that, she was a litigation associate at Covington & Burling in Washington, D.C. Professor Dennis also has professional experience civilly prosecuting child abuse and neglect cases in D.C. Superior Court, teaching legal analysis and writing at the University of Maryland School of Law, and developing national policies and programs for at-risk youth enrolled in Job Corps. Professor Dennis earned her J.D. in 1997 from New York University School of Law, where she was an editor for the *Annual Survey of American Law* and published *Because I am Black, Because I am Woman: Remediating the Sexual Harassment Experience of Black Women*. Immediately following graduation from law school, she served as a judicial law clerk for The Honorable Raymond A. Jackson of the United States District Court for the Eastern District of Virginia. A Maryland native, Professor Dennis completed her B.S. in Engineering at the University of Maryland at College Park.

Joshua Dressler and **George Thomas** report that the third edition of their casebooks, *CRIMINAL PROCEDURE: PRINCIPLES, POLICIES, AND PERSPECTIVES* (hardcover) and *CRIMINAL PROCEDURE: INVESTIGATING CRIME* and *CRIMINAL PROCEDURE: PROSECUTING CRIME* (softcovers) will be published by Thomson West in time for use in criminal procedure courses beginning in January, 2007.

Joshua Dressler and **Alan C. Michaels** are co-authors of *UNDERSTANDING CRIMINAL PROCEDURE*. The LexisNexis treatise, published this Fall in its fourth edition and annually updated, now is published as two volumes. Volume 1 is intended for use in a "police practices"/"criminal investigation" criminal procedure course. Volume 2 is intended for use

in an "adjudicatory" course. You should now have both volumes.

Joshua Dressler reports that he has submitted the manuscript for the fourth edition of his Thomson West casebook, *CASES AND MATERIALS ON CRIMINAL LAW*. It will be published in Spring 2007, well in time for use in Summer or Fall 2007 classes. The fourth edition of Dressler's *UNDERSTANDING CRIMINAL LAW*, published by LexisNexis is now in print and available for use. Dressler's most recent article on battered women, *Battered Women and Sleeping Abusers: Some Reflections*, is found in 3 Ohio St. J. Crim. L. 457 (2006).

In October, NYU Press published **Markus Dubber's** *The Sense of Justice: Empathy in Law and Punishment* (2006). In this book, Dubber (SUNY Buffalo) undertakes a critical analysis of the sense of justice, an overused, yet curiously understudied, concept in modern legal and political discourse. Drawing on recent work in moral philosophy, political theory, and linguistics, Dubber develops an account of the sense of justice as empathy, the emotional capacity that makes law possible by giving us vicarious access to the experiences of others. Also in October, Stanford University Press published the first book in its new series on *Critical Perspectives on Crime & Law: The New Police Science: The Police Power in Domestic and International Governance* (2006). Co-edited by **Markus Dubber** (SUNY Buffalo) and **Mariana Valverde** (University of Toronto), this interdisciplinary and international collection of essays provides a critical analysis of the power to police as a basic technology of modern government found in a vast array of sites of governance, including not only the state, but also the household, the prison, the factory, the military, and—most recently—the global realm of war, police actions, and peace keeping.

Professor **Jeffrey Fagan**, Columbia Law School, recently published

"Capital Punishment and Capital Murder: A Market Share Theory of Death Penalty Deterrence," in the Texas Law Review (with Franklin Zimring and Amanda Geller). He also published *"Death and Deterrence Redux"* in the Fall 2006 issue of the Ohio State Journal of Criminal Law. He presented this research at the June 2006 AALS Criminal Justice Workshop in Vancouver, British Columbia. In August, he concluded his three-year term as Vice Chair of the Committee on Law and Justice of the National Research Council.

Professor **Dan Filler**, previously of the University of Alabama, has moved to Philadelphia to join the new Drexel University College of Law. In addition to becoming a member of the Drexel faculty, he is also serving as the Associate Dean of Faculty. In the months before leaving Alabama, he published *"The New Rehabilitation"* in the Iowa Law Review (with Austin Smith) and chaired the Alabama assessment team for the ABA's Death Penalty Moratorium Implementation Project. The Alabama Death Penalty Assessment Report is available at <http://www.abanet.org/moratorium/assessmentproject/alabama.html>. He blogs at <http://www.concurringopinions.com/>

Professor **Gregory S. Gordon** started teaching at the University of North Dakota School of Law in August 2006. His courses include International Human Rights Law, Criminal Law and Criminal Procedure. His article entitled *"Toward an International Criminal Procedure: Due Process Aspirations and Limitations"* was recently accepted for publication with the Columbia Journal of Transnational Law.

Brooks Holland, a Visiting Assistant Professor of Law at Gonzaga University School of Law, has accepted a tenure-track offer to remain on the Gonzaga faculty as an Assistant Professor of Law beginning with the 2007-2008 academic year. Brooks teaches criminal law,

criminal procedure, constitutional law I and professional responsibility.

Joe Kennedy finished his one year stint as Associate Dean and has published *Cautious Liberalism*, 94 Georgetown Law Journal 1537 (2006), a symposium piece discussing liberal trends in the late Rehnquist Court's criminal justice decisions and *Facing Evil*, 104 Michigan Law Review 1287 (2006), a review of one book on high profile crimes and one book on the public's fascination with serial killers. He has also been appointed to the program committee for the 2007 Annual Meeting of the American Society of Criminology.

Cynthia Lee, George Washington University Law School, was selected as a GWIPP (George Washington Institute of Public Policy) Policy Research Scholar for the 2006-2007 academic year. She and **Angela Harris** wrote the Teachers Manual for their new CRIMINAL LAW: CASES AND MATERIALS (Thomson/West). In August, she finished up a two year term as Chair of the ABA's Multicultural Women Attorneys Network (MWAN), sponsored by the ABA's Commission on Racial and Ethnic Diversity in the Profession.

Professor **Renee Lerner**, The George Washington University Law School, is publishing in the Journal of Law, Economics, and Policy an article called *"The Worldwide Popular Revolt Against Proportionality in Self-Defense Law,"* which examines reform movements and legislative changes in the United States and Europe arising from popular dissatisfaction with existing proportionality standards in self-defense law.

Assistant Professor **Dan Markel**, Florida State University College of Law, recently published *State Be Not Proud: A Retributivist Defense of the Commutation of Death Row and the Abolition of the Death Penalty*, which appeared at 40 Harv. C.R.-C.L. L. Rev. 407 (2005). In the next year, three pieces of his are being published: 1) *Connectedness and Its*

Discontents, which is about federalism and the construction of criminal history and is coming out in the Ohio State Journal of Criminal Law; an earlier version appeared in the U. Penn Law Review's online journal; 2) *Criminal Justice and the Challenge of Family Ties* (co-authored with Jennifer M. Collins and Ethan J. Leib), which is forthcoming in the University of Illinois Law Review and examines the normative arguments for conferring family status based benefits to defendants or their relatives in the criminal justice system; and 3) *Still Wrong? Professor Kahan and the Fall of Shaming and Rise of Restorative Justice*, which is forthcoming in the Texas Law Review and argues that the basis for Professor Dan Kahan's recent repudiation of shaming punishments may also undermine his new support of restorative justice as a strategic alternative to mass incarceration. He is at work on a large manuscript exploring the constitutional status of indeterminate sentencing. Professor Markel's work in the past year has been discussed in the Economist and the New York Times, among other places. He invites members of the Section to contact him if they are interested in doing a guest stint on PrawfsBlawg (<http://prawfsblawg.blogs.com>), a group law professor blog he founded which receives over 4000 pageviews a day from scholars, judges, lawyers, and others around the country. He can be reached at markel@post.harvard.edu.

Guy Raymond Jones Professor **Richard McAdams**, University of Illinois College of Law, recently published *"The Political Economy of Entrapment,"* 96 J. Crim. L. & Criminology 107 (2005). He has also accepted a job at the University of Chicago, where he will begin in the Fall of 2007.

Professor **Eric J. Miller**, St. Louis University School of Law, recently published *Role-Based Policing: Restraining Police Conduct "Outside the Legitimate Investigative Sphere,"* 94 Cal. L. Rev. 617 (2006).

Camille Nelson, Saint Louis University School of Law, published *"Multicultural Feminism: Assessing Systemic Fault in a Provocative Context"* in 17 *University of Florida Journal of Law and Public Policy* 263 (2006). Her chapter entitled *"The Conflicting and Contradictory Dance: The Essential Management of Identity for Women of Colour in the Legal Academy"* was published in *Calling for Change: Women, Law and the Legal Profession Ten Years After Touchstones* (University of Ottawa Press 2006). Her article *"Considering Tortious Racism,"* was published in 9 *DePaul Journal of Health Care Law* 905 (2006) as part of a symposium on Health Care as a civil rights issue. Camille's article *"Of Egg-shells and Thin Skulls: A Consideration of Racism-Related Mental Illness Impacting Black Women"* appeared in 29, Issue 2 *The International Journal of Law & Psychiatry*, March-April 2006. In August, Camille co-organized a panel at the ABA Annual Meeting in Honolulu for the ABA Commission on Racial and Ethnic Diversity in the Legal Profession, and presented a paper entitled *"Racial Crusades at a Gendered Intersection."* In her capacity as a member of the board of the Society of American Law Teachers, Camille served as co-chair for the SALT Teaching Conference Planning Committee that organized a conference entitled *"Academic Freedom and Teaching Activism in the Post-9/11 World"* held September 8-9 at Suffolk University School of Law. In October, Camille presented *"Racialized Disability Issues"* and *"On Professionalism: Service and Balance in Constructing Life as a Law Professor (with an Emphasis on Life)"* at LatCrit XI in Las Vegas. She was also an organizer of the LatCrit Faculty Development Workshop.

Melynda Price, Assistant Professor of Law, joined the University of Kentucky College of Law faculty in 2006. She teaches Torts, Immigration Law, and Law and Social Science. Her research interests are race and citizenship, the politics of crime and punishment and the role of law in the

politics of race and ethnicity in the United States and its borders. Her dissertation entitled, *At the Cross: Race and Religion in the Politics of the Death Penalty Among African Americans*, analyzes the impact of race and religion on African American attitudes on the death penalty. Professor Price's most recent article, *Litigating Salvation: Race, Religion, and Innocence in the Cases of Karla Faye Tucker and Gary Graham*, was published in the spring 2006 issue of the *University of Southern California Review of Law and Social Justice*. Professor Price earned her J.D. in 2002 from the University of Texas School of Law and her PhD in Political Science from the University of Michigan in 2006. She received a B.S. in Physics from Prairie A & M University in 1995. Professor Price is a native of Texas.

Associate Professor **Audrey Rogers**, Pace Law School, recently published a article in the *New York Law Journal* entitled, *"Kozlow' Court Deals Blow to Internet Sting Operations,"* and was appointed Chair of the law school's Self-study Committee.

Susan Rozelle, Capital University Law School (visiting this year at Seattle University School of Law), has a new article, *The Principled Executioner: Capital Juries' Bias and the Benefits of True Bifurcation*, 38 *Ariz. St. L.J.* __ (forthcoming 2006). This piece describes the skewing effects of death qualification on capital juries, and how unitary jury requirements, or statutes requiring that the same jury that determined guilt also determine punishment, interact with death qualification to place defendants in a double-bind. True bifurcation offers an escape from the double-bind, and a readily-achievable, if only incremental, improvement in fairness for capital defendants.

Christopher Slobogin is visiting at Stanford Law School this year. He recently published *MINDING JUSTICE: LAWS THAT DEPRIVE PEOPLE WITH MENTAL*

DISABILITY OF LIFE AND LIBERTY with Harvard University Press, and *PROVING THE UNPROBABLE: THE ROLE OF LAW, SCIENCE AND SPECULATION IN ADJUDICATING CULPABILITY AND DANGEROUSNESS* with Oxford University Press. He also chaired a task force sponsored by the ABA that, after two years of information-gathering, in August released a 400 page report on the death penalty system in Florida.

James W. Smith III, Assistant Professor of Law at Florida A&M University College of Law published *A Few Good Scapegoats: The Abu Ghraib Courts-Martial and the Failure of the Military Justice System*, 27 *Whittier L. Rev.* 671 (2006). The article focuses on the problem of disparate justice in the military justice system and the Abu Ghraib scandal.

Professor **Dan Solove's** (The George Washington University Law School) article, *The First Amendment as Criminal Procedure*, will appear in 82 *N.Y.U. L. Rev.* __ (forthcoming 2007). Other recent publications include: *Fourth Amendment Codification and Professor Kerr's Misguided Call for Judicial Deference*, 73 *Fordham L. Rev.* 747 (2005) and *A Taxonomy of Privacy*, 154 *U. Pa. L. Rev.* 477 (2006). The *Taxonomy of Privacy* article was awarded the 2006 Privacy Enhancing Technologies Award (sponsored by Microsoft) for outstanding scholarship about privacy.

Andrew Taslitz is pleased to announce the publication of his new book, *RECONSTRUCTING THE FOURTH AMENDMENT: A HISTORY OF SEARCH AND SEIZURE, 1789-1868* (2006), by N.Y.U. Press. He has also recently published *Temporal Adversarialism, Criminal Justice, and the Rehnquist Court: the Sluggish Life of Political Factfinding*, 94 *Geo. L. J.* 1589 (2006), and *Eyewitness Identification, Democratic Deliberation, and the Politics of Science*, 4 *Cardozo Pub. L., Pol'y,*

and Ethics J. 271 (2006), and has been appointed the Co-Executive Director of the new ABA Criminal Justice Section Division on Communications as well as a member of the ABA Criminal Justice Standards Committee.

George C. Thomas III published *Colonial Criminal Law and Procedure: The Royal Colony of New Jersey 1749-57*, 1 N.Y.U. J. L. & Liberty 671 (2005).

Professor **Kevin Washburn**, University of Minnesota Law School, recently published *Americans Indians, Crime and the Law*, 104 Mich. L. Rev. 709-778 (2006), and *Federal Criminal Law and Tribal Self-Determination*, 84 N.C. L. Rev. 779-856 (2006). He also obtained a \$1.5 million grant from the National Institute of Justice, along with two other principal investigators, UCLA professors Carole Goldberg and Duane Champagne, for an empirical study of *"the Administration of Criminal Justice in Indian Country."* He also became a member of the Criminal Law and Procedure Drafting Committee of the National Conference of Bar Examiners (which writes the Multistate Bar Examination). He will be teaching courses in criminal law, gaming law, and American Indian law as a visiting professor at Harvard Law School in 2007-08.

Dan Williams, Associate Professor, Northeastern University Law School, has recently published three articles: *Mitigation and the Capital Defendant Who Wants to Die: A Study in the Rhetoric of Autonomy and the Hidden Discourse of Collective Responsibility*, 57 Hastings L.J. 693 (2006); *Roper v. Simmons and the Limits of the Adjudicatory Process*, 2005 Mich. St. L. Rev. 1113 (2005); and *The Futile Debate over the Morality of the Death Penalty: A Critical Commentary on the Steiker and Sunstein-Vermeule Debate*, 3 Lewis & Clark L. Rev. 625 (2006).

Announcements

JOURNAL ANNOUNCEMENT

In January 2007, University of California Press will take over publication of the **New Criminal Law Review: An International and Interdisciplinary Journal** (formerly Buffalo Criminal Law Review). Focused on examinations of crime and punishment in domestic, transnational, and international contexts, the NCLR will provide timely, innovative commentary and in-depth scholarly analyses on a wide range of criminal law topics. **Markus D. Dubber** (SUNY Buffalo) and **Lindsay Farmer** (University of Glasgow) will serve as Editors-in-Chief, and **Kevin Heller** (University of Auckland) and **Peter Ramsay** (London School of Economics) as Book Review Editors. The NCLR welcomes the submission of manuscripts on any subject related to crime and punishment.

CONFERENCE ANNOUNCEMENTS

The first annual **Texas Tech Criminal Law and Procedure Conference** will be held on April 6, 2007 at Texas Tech Law School. The conference topic is: **"Citizen Ignorance, Police Deception, and the Constitution."** The conference will consist of three panels, "Consent Searches by Citizens Who Don't Know That They Can Say No," "Confessions by Underinformed or Misinformed Citizens," and "Do We Want Citizens to Know Their Rights, and, if So, How Should We Teach Them"? Confirmed speakers include John Burkoff, Morgan Cloud, Sharon Davies, Donald Dripps, Susan Klein, Christo Lassiter, Arnold Loewy, Alan Michaels, Robert Mosteller, Christopher Slobogin, Andrew Taslitz, George Thomas, and Russell Weaver. There will be no registration fee for criminal law or procedure professors, all of whom are encouraged to attend. Each panel will last about two hours, with the speakers only speaking for about an

hour and twenty minutes. Thus, there will be a great deal of time for audience participation. For further information on the conference, please contact **Arnold H. Loewy**, George Killam Professor of Criminal Law, at Texas Tech School of Law, 806-742-3990 ext. 361(phone) 806-742-0251 (fax).

On May 11-13, 2007, **Markus D. Dubber** (SUNY Buffalo) and **Lindsay Farmer** (University of Glasgow) will host a workshop on **"Criminal Law, Terrorism, and the State of Emergency,"** at SUNY Buffalo Law School. The workshop will provide a common international and interdisciplinary forum for legal doctrinal and political theoretical debates on issues surrounding the so-called war on terrorism, which to this point have been carried on largely in mutual isolation. Proceedings will be published in a special issue of the New Criminal Law Review.

OTHER ANNOUNCEMENTS

This spring, New York Law School will be adding a new course to its online mental disability law program, *Mental Health Issues in Jails and Prisons*. **Michael Perlin** is currently preparing the casebook [Carolina Academic Press] with NYLS Adjunct Prof. **Henry Dlugacz**. Students at other law schools (or graduate schools in criminal justice) interested in exploring cross-registration possibilities should contact either Professor Perlin or Liane Bass, Esq., NYLS Senior Administrator (lbass@nyls.edu). Those interested in entering into a partnership agreement with NYLS so that this course could be offered at their law school should contact Michael Perlin directly.

Disclaimer

This Newsletter is a forum for the exchange of information and points of view. Any opinions expressed herein are not necessarily the opinions of the Criminal Justice Section, its members or officers, or of the Association of American Law Schools.