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**Fall 2020**

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# Chair’s Message

***Jenny E. Carroll (Univ. of Alabama, School of Law)***

To say this year has been busy for our Section members is an understatement. While this year has proven to be challenging in so many different ways, in this turmoil you, the members of the Criminal Justice Section, have demonstrated your commitment to pushing the arc of history ever towards justice. From your tireless efforts to address the impact of COVID-19 and racism on detained populations and criminal systems, to your work towards reimagining and reframing criminal law and policing, to your innovations in the classroom, you, the section members, have written, spoken, organized, defended, supported, and volunteered. As Chair of the Section I have delighted in your work and been sustained by your thoughtful critique and energies.

As I look forward towards 2021, I look forward to an amazing AALS virtual program that kicks off with a Pre-Annual Meeting event on **Monday, January 4, from 2 - 3:15 pm (EST)** with the panel *Irresponsibility, Reconsidered* hosted by our incomparable Chair-elect Lea Johnston. This panel **does require separate registration** which you can do [**here**](https://www.aals.org/sections/criminal-justice/irresponsibility-reconsidered/)**.** You won’t want to miss this discussion.

After attending the pre-Annual Meeting panel, join us at the AALS Annual Conference for our panel *Rescuing Law: On Fetal Harms, Moms, Migrants, and #MeToo* (**January 5 from 2:45 - 4:00 p.m**.); our pedagogy panel: *Beyond 2020: Decarceral, Anti-Racist and Non-Traditional Teaching* (**January 6, from 4:15 - 5:30p.m**.) moderated by Eric Miller; and our Works in Progress roundtable featuring rising stars in our section (**January 8, from 4:15 - 5:30 p.m**.). Thanks to Maybell Romero and Cynthia Godsoe for organizing what will undoubtedly be a fabulous Works in Progress Roundtable, and thanks to those who volunteered to present and to commentate.

I am also pleased to announce that we had a record number of submissions for our Junior Scholars Paper Competition. A special thanks goes to Cara Drinan, the Section Secretary, who organized and ran this competition flawlessly. Thank you also to all our volunteer readers who carefully considered all of the submitted work. I am thrilled to announce that Jamelia N. Morgan (UConn) won the competition for her fascinating paper, *Rethinking Disorderly Conduct.* We also had two fantastic finalists: Stephanie Holmes Didwania (Temple) for her work *Discretion and Disparity in Federal Detention* and Kate Weisburd (GW) for her work *Punitive Surveillance*. Thank you all for your wonderful submissions. The entries this year were quite simply amazing.

I want to end on a personal note. First, I want to thank Eric Miller who will leave the Section’s Executive Committee this year. It has been my pleasure to get to know Eric over the last five years and I thank him for his unwavering commitment to increasing diversity in our Section and supporting all those who wish to draw near and be heard. Second, I want to tell you that I have enjoyed my year as Chair even in this tumultuous time because it has allowed me to get to know so many of you so much better. I stand in awe of your work and commitment. I look forward to seeing our Section continue to thrive under the able leadership of incoming Chair Lea Johnston. I hope next year to see you all in person over lunch (hopefully at an off-site restaurant, as has become our custom, rather than at the hotel) or a cocktail at AALS or elsewhere. In the meantime, thank you for your work, your words of encouragement, and your insistence that this Section continue to strive to be its best self. If you ever need anything from me, I will always be delighted to hear from you. Best, Jenny

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# Announcements

The **George Washington Law Review** hosted a symposium on *Addressing the Crisis in Policing: Race, Masculinity and Police Use of Deadly Force*, on October 22-23, 2020. Paul Butler (Georgetown), author of Chokehold: Policing Black Men, was the keynote speaker.

In September 2020, **University of Kentucky J. David Rosenberg College of Law** Professors Blanche Cook, Melynda Price and Cortney Lollar put on a [webinar](https://www.youtube.com/watch?v=8oFrXwZenkE) addressing some of the issues raised by the Kentucky Attorney General's failure to indict any of the officers in Breonna Taylor's death. Professor Cook then organized a [symposium](https://www.youtube.com/watch?v=jAZltZvQQms) at UK RCOL in October, entitled *Say Her Name: Breonna Taylor - A Daylong Symposium* and featuring Sam Aguiar and Lonita Baker, the attorneys for Ms. Taylor's family, among others, including many notable criminal law professors from across the U.S.

**Marquette**’s 2020 Symposium was entitled *Responding to the Threat of Violent Recidivism—Alternatives to Long-Term Incapacitation* and the 17 papers presented at the conference have been published in the Law Review, [103 Marq. L. Rev. 735, 735-1203](https://scholarship.law.marquette.edu/mulr/vol103/iss3/) (2020).

The **Criminal Justice Program at Vanderbilt Law School** sponsored its 13th Annual Roundtable, focused on Criminal Justice as an Administrative System, on November 6 & 7.  Participants included Stephanos Bibas (Third Circuit Court of Appeals), Malcolm Feeley (Berkeley Law), Mark Fondacaro (John Jay Psychology), Irene Joe (UC Davis Law), Issa Kohler-Hausmann (Yale Law), Benjamin Levin (Colorado Law), Lisa Miller (Rutgers Political Science), Calvin Morrill (Berkeley Law), John Pfaff (Fordham Law), and Jed Rakoff (Senior Judge, Southern District of New York), as well as members of Vanderbilt’s criminal justice faculty.

# Member News

*Awards, Appointments, Moves, Promotions, Publications, & Other Notable Achievements.*

**Susan Bandes (DePaul University College of Law)** has several forthcoming publications: [*Closure in the Criminal Courtroom: The Birth and Strange Career of an Emotion*](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3457952), in Research Handbook on Law and Emotion(Bandes, Madeira, Temple, and White eds., Elgar 2021); [V*irtual Trials: Necessity, Invention, and the Evolution of the Courtroom*](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3683408), 68 Buff. L. Rev. \_\_ (2020)( with Neal Feigenson); and [*Remorse and Judging*](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3535062) in Remorse in Criminal Justice: Multi-Disciplinary Perspectives (Proeve, Tudor, Rossmanith and Weisman eds., 2021).

On November 6th 2020, Susan presented her paper “*Feeling and Thinking Like a Lawyer: What Cognitive Science Tells Us about Cognition, Emotion, and Legal Practice*” at the Fordham Law Review’s conference on Mental Health and the Legal Profession. The papers will be published in the Fordham Law Review in 2021.

**Shima Baradaran Baughman (S.J. Quinney College of Law at the University of Utah)** was appointed Associate Dean of Faculty Research and Development. She also recently published:

[Criminal Law Cases and Controversies](https://www.wklegaledu.com/Robinson-CriminalLaw5) (5th Ed Aspen 2020) (coauthored with Paul Robinson and Michael Cahill); [*Prosecutors and Mass Incarceration*](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3689242), 94 S. Cal. L. Rev. \_\_ (*forthcoming* 2021) (with Megan Wright); [*How Effective Are Police?*](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3566383)72 Alab. L. Rev. \_\_\_

(*forthcoming* 2020); and [*Dividing Bail Reform*](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3358662),105 Iowa L. Rev.  L. 101 (2020).

**Amber Baylor (Texas A&M)** published *Design Justice and Municipal Criminal Law*, \_\_ N.M. L. Rev. \_\_ (forthcoming 2021).

**Will Berry (Mississippi)** was promoted to Montague Professor of Law at the University of Mississippi in 2020. He has published several books and book chapters: The Eighth Amendment and its Future in a New Age of Punishment (Berry & Ryan eds., Cambridge Univ. Press) (2020); Criminal Law (Carolina 9th Ed., 2021)(with Paul Marcus, Linda Malone, & Cara H. Drinan); *Judicial Hesitancy and Majoritarianism*, in The Eighth Amendment and its Future in a New Age of Punishment (Berry & Ryan eds., Cambridge Univ. Press) (2020); *Eighth Amendment Values*(with Meghan J. Ryan), in The Eighth Amendment and its Future in a New Age of Punishment (Berry & Ryan eds., Cambridge Univ. Press) (2020); and *Introduction*(with Meghan J. Ryan), in The Eighth Amendment and its Future in a New Age of Punishment (Berry & Ryan eds., Cambridge Univ. Press) (2020).

Will also penned the following articles: *The Sixth & Eighth Amendment Nexus and the Future of Mandatory Sentences*, 100 N.C. L. Rev. \_\_ (2021)(symposium); *Cruel and Unusual Non-Capital Punishments*, 58 Am. Crim. L. Rev. \_\_ (2021)(symposium); *Capital Felony Merger*, 111 J. Crim. L. & Criminology \_\_ (2021); *Eighth Amendment Presumptive Penumbras (and Juvenile Offenders)*, 106 Iowa L. Rev. \_\_ (2020); *Cruel State Punishments*, 99 N.C. L. Rev. \_\_ (2020); and *Unusual State Capital Punishments*, 72 Fla. L. Rev. 1 (2020)(lead article.)

Finally, Will presented at two conferences this year: Georgetown University, American Criminal Law Review & National Association of Criminal Defense Lawyers Symposium, *Prison Brake: Rethinking the Sentencing Status Quo*, Washington, DC (October 2020) and University of North Carolina Law Review Symposium, *Apprendi at 20*, Chapel Hill, NC (October 2020).

**Bennett Capers** recently moved to **Fordham Law School**, where he also directs their Center on Race, Law, and Justice. His forthcoming law review articles include *Against Prosecutors*, 105 Cornell L. Rev. \_ (2020). He’s also been working on three book projects slated to come out in 2021: *The Prosecutor’s Turn* (Metropolitan Books); *Critical Race Judgments: Rewritten U.S. Court Opinions on Race and Law* (co-edited with Devon Carbado, Robin Lenhardt, and Angela Onwuachi-Willig); and *Feminist Judgments: Criminal Law* (co-edited with Sarah Deer and Corey Rayburn Yung).

**Jenny E. Carroll (Univ. of Alabama, School of Law)** was pleased to publish (or is soon to be publishing): *If Only I had Known: The Challenges of Representation*, 89 Fordham L. Rev.\_\_\_ (forthcoming2021) (invited submission); *COVID-19, Compassion, and the Ordinary Inmate*, 18 O.S.U.J. Crim. Law \_\_\_ (forthcoming 2021) (invited submission); *Safety, Crisis and Criminal Law*, 52 A.S.U.L. Rev. 505 (*forthcoming*2020) (invited submission); *Beyond Bail*, 72 Fla. L. Rev. \_\_\_ (forthcoming *2020); Pretrial Detention in the Time of COVID-19*, 115 N.W. U. L. Rev. Online 59 (2020); and *The Due Process of Bail*, 54 Wake Forest L. Rev. 101 (2020) (invited submission). In addition, in her role as the Chair of the State Advisory Committee to the U.S. Commission on Civil Rights, Jenny published the 2020 report on *Barriers to Voting in Alabama* and provided Congressional testimony regarding the impact of voting regulations on marginalized communities in Alabama.

**Paul Cassell (S.J. Quinney College of Law at the University of Utah)** received the Ronald Wilson Reagan Public Policy Award (a National Crime Victims’ Service Award) from the U.S. Dept. of Justice, Office for Victims of Crime.

**Beth Colgan (UCLA)** published several works this year:*Revisiting Hate Crimes Enhancements in the Shadow of Mass Incarceration*, 95 N.Y.U. L. Rev. Online 149 (2020) (with Shirin Sinnar); *Beyond Graduation: Economic Sanctions and Structural Reform*, 69 Duke L.J. 1529 (2020); *Financial Hardship and the Excessive Fines Clause: Assessing the Severity of Property Forfeitures After*Timbs, 129 Yale L. J. Forum 430 (2020) (with Nicholas J. McLean); and *Nor Excessive Fines Imposed*, in The Eighth Amendment and Its Future in a New Age of Punishment (William Berry & Meghan Ryan, eds., Cambridge Univ. Press, 2020).

**Nora Demleitner** **(Washington & Lee)** wrote the following published and forthcoming works: *Prosecutors and Sentencing*, in The Oxford Handbook of Prosecutors and Prosecution (Kay Levine, Russell Gold & Ronald F. Wright, eds.; Oxford University Press, forthcoming 2021); *The U.S. Sentencing Commission’s Recidivism Studies: Myopic, Misleading, and Doubling Down on Imprisonment*, 33 Fed. Sent'g Rep. (forthcoming December 2020); *The Imperial Prosecutor: Increased Prosecutorial Power Accompanies Criminal Justice Reforms*, in Can They Do That? Demystifying Prosecutorial Discretion (Melba Pearson ed.; ABA Publishing: 2020), [https://www.americanbar.org/products/inv/book/398893191/](https://nam11.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.americanbar.org%2Fproducts%2Finv%2Fbook%2F398893191%2F&data=04%7C01%7Cdemleitnern%40wlu.edu%7C35bbdc98b8704f4b318d08d88824ef0e%7Cd1a80622a99943e58eb67873905e939e%7C1%7C0%7C637409039516970899%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C1000&sdata=pUQupmlhcJbSNAo1PB3IiLrYm81ZZmFXdzz2RJQgQpg%3D&reserved=0) ; *Reforming Federal Sentencing: A Call for Equality-Infused* Menschlichkeit*,*26(2) Washington & Lee J. Civ. Rts & Soc. Justice xi (2020), [https://scholarlycommons.law.wlu.edu/crsj/vol26/iss2/3/](https://nam11.safelinks.protection.outlook.com/?url=https%3A%2F%2Fscholarlycommons.law.wlu.edu%2Fcrsj%2Fvol26%2Fiss2%2F3%2F&data=04%7C01%7Cdemleitnern%40wlu.edu%7C35bbdc98b8704f4b318d08d88824ef0e%7Cd1a80622a99943e58eb67873905e939e%7C1%7C0%7C637409039516970899%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C1000&sdata=myCYImdxsXSsgPCU81kU6N2lgvaZMxwtswqkSjkeBXY%3D&reserved=0);

*State Prosecutors at the Center of Mass Imprisonment and Criminal Justice Reform*, 32 Fed. Sent'g Rep. 187 (2020), <https://online.ucpress.edu/fsr/article/32/4/187/109447/State-Prosecutors-at-the-Center-of-Mass>; and *Opinion: Don’t be fooled by a slick ad. Most people given clemency by Trump don’t look like Alice Marie Johnson,*USA Today (Feb. 13, 2020),  [https://www.usatoday.com/story/opinion/policing/spotlight/2020/02/13/most-people-given-clemency-trump-dont-look-like-alice-marie-johnson/4671405002/](https://nam11.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.usatoday.com%2Fstory%2Fopinion%2Fpolicing%2Fspotlight%2F2020%2F02%2F13%2Fmost-people-given-clemency-trump-dont-look-like-alice-marie-johnson%2F4671405002%2F&data=04%7C01%7Cdemleitnern%40wlu.edu%7C35bbdc98b8704f4b318d08d88824ef0e%7Cd1a80622a99943e58eb67873905e939e%7C1%7C0%7C637409039516980889%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C1000&sdata=dxKv73GjENwpyzgBdVewXIE4uNDBM%2B%2FgHQcp%2Fjq1v0Y%3D&reserved=0). Nora was also elected Board Chair of Renaissance High School in Charlottesville and joined the Albemarle County Commonwealth Attorney's Citizen Advisory Board.

**Joshua Dressler (Ohio State, Moritz College of Law)** penned two works this year:

*Reflections on the Warren Court’s Criminal Justice Legacy, Fifty Years Later: What the Wings of a Butterfly and a Yiddish Proverb Teach Me*, 51 U. Pacific L. Rev. 727 (2020) and Kahler v. Kansas*: Ask the Wrong Question, Get the Wrong Answer*, 18 Ohio St. J. Crim. L. \_\_\_ (Fall 2020).

**Cara H. Drinan (Catholic University)** was elected as a member of the American Law Institute in July, 2020 and was appointed Director of Faculty Research. This year she published the following: *The Future of Juvenile Life-Without-Parole Sentences* in The Eighth Amendment and its Future in a New Age of Punishment (Berry & Ryan eds., Cambridge Univ. Press) (2020); *Conversations on the Warren Court’s Impact on Criminal Justice:* In re Gault *at 50*, 49 Stetson L. Rev. 433 (2020); [*Clemency in a Time of COVID-19*](https://www.richmond.com/opinion/columnists/cara-h-drinan-column-clemency-in-a-time-of-covid-19/article_21d4b50b-90d8-51b6-bfec-cd5e932047df.html)*,* The Richmond Times-Dispatch, April 16, 2020; and Criminal Law (Carolina 9th Ed., 2021)(with Paul Marcus, Linda Malone, & Will Berry). This year Cara also gave talks on criminal justice reform measures and juvenile justices issues to audiences at Georgetown, Indiana University, and Bowdoin College.

**Ingrid Eagly** **(UCLA)** reports two publications this year: *The Institutional Hearing Program: A Study of Prison-Based Immigration Courts in the United States*, 54 Law & Society Rev. \_\_ (forthcoming 2020)(with Steven Shafer) and [*The Movement to Decriminalize Border Crossing*](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3453477), 61 Boston College L. Rev. 1967 (2020).

**Avlana K. Eisenberg** (**Florida State)** was promoted to associate professor with tenure and named the Gary & Sallyn Pajcic Professor at Florida State University College of Law. She published or is publishing the following works: [*The Prisoner and the Polity*](https://ssrn.com/abstract%3D3568539), 95 N.Y.U. L. Rev. 1 (2020); *Discontinuities in Criminal Law*, 22 Theoretical Inquiries in Law\_\_ (forthcoming 2020) (invited contribution); and *Criminalizing Hate: Legal Frameworks and Enforcement Challenges in the United States*, 132:3 Zeitschrift für die gesamte Strafrechtswissenschaft\_\_

(forthcoming 2020) (invited contribution).

**Hillary Farber (UMass Dartmouth)** wasnamed 2020 Pro Bono Attorney of the Year by the Florence Immigrant and Refugee Rights Project for her work on behalf of detained immigrants in Arizona.

**Brian Gallini** was appointed Dean of **Willamette University College of Law** on July 1, 2020. He also has the following article forthcoming: *Suspects, Cars & Police Dogs: A Complicated Relationship*, \_\_Wash. L. Rev. \_\_\_(2020).

**Mike Gentithes (Akron Law)** wrote several articles this year:[Janus*-Faced Judging: How the Supreme Court Is Radically Weakening Stare Decisis*](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3520664), 62 Wm. & Mary L. Rev. (forthcoming 2020); [*Suspicionless Witness Stops: The New Racial Profiling*](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3420816), 55 Harv. C.R.-C.L. L. Rev. (forthcoming 2020); [*Felony Disenfranchisement & The Nineteenth Amendment*](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3685407), 53 Akron L. Rev. 431 (2020); and [*Pandemic Surveillance: The New Predictive Policing*](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3681962), 12 ConLawNOW 57 (2020).

**Lauryn Gouldin** **(Syracuse University College of Law)** was named Crandall-Melvin Associate Professor of Law in July 2020. Her forthcoming publications include *Reforming Pretrial Decision-making*, 55 Wake Forest L. Rev. \_\_ (forthcoming 2020) and a book chapter, *New Perspectives on Pretrial Nonappearance*, in American Society of Criminology Division on Corrections and Sentencing, Handbook on Pretrial Justice (forthcoming 2021).

**Rachel Harmon** **(UVA)** is excited to announce that her new casebook, *The Law of the Police*, will be published by Wolters Kluwer in January.  As she reports, “It is the first book on the law governing police interactions with the public, and it is suited for a range of courses on the rules and remedies that influence policing.  (With a little supplementation, it also works for a police-focused version of criminal procedure.)   In addition, the book highlights the work of many scholars, frames what is really a new academic field, and offers resources for those thinking and writing about policing and the law.  I’ll happily provide assistance to anyone interested in proposing or teaching a course from it.  With it, I think we can produce a generation of law students far readier to engage in contemporary debates about the legal regulation of the police.”

**Darrell D. Jackson (University of Wyoming)** published a book chapter this year: *Stealing Culture: The Internalization of Critical Race Theory Through the Intersection of Criminal Law and Museum Studies*, *in* [Critical Race Theory in the Academy](https://www.infoagepub.com/products/Critical-Race-Theory-in-the-Academy)519 (Vernon Lee Farmer & Evelyn Shepherd W. Farmer eds., 2020). (with Nicole M. Crawford & Toni E. Hartzel).

**E. Lea Johnston** **(Univ. of Florida)** has been recognized as a University of Florida Research Foundation Professor. This year she wrote one article, *The Status and Legitimacy of M'Naghten’s Insane Delusion Rule*, \_\_\_ U.C. Davis L. Rev. \_\_\_ (forthcoming 2021) (coauthored with Vince Leahey) She also served as a panelist at two conferences: S*ymposium: Prison Brake: Rethinking the Sentencing Status Quo*, American Criminal Law Review (ACLR) and the National Association of Criminal Defense Lawyers (NACDL), Georgetown Law School, Washington, D.C. (Oct. 22, 2020) and *Sentencing, The Future of Florida Summit: Criminal Justice Reform*, Bob Graham Center at University of Florida, Gainesville, Florida (Feb. 22, 2020).

**Zachary D. Kaufman** **(University of Houston)** was awarded the Southeastern Association of Law Schools (SEALS) 2020 Call for Papers Award for his article, [*Protectors of Predators or Prey: Bystanders and Upstanders amid Sexual Crimes*](https://ssrn.com/abstract%3D3153253), 92 S. Cal. L. Rev. 1317 (2019). Zach also published the following works: *Digital Age Samaritans*, 62 B.C. L. Rev. \_(forthcoming 2021); [*Legislating Atrocity Prevention*](https://ssrn.com/abstract%3D3484442), 57 Harv. J. on Legis. 163 (2020); and [*Transitional Justice Delayed is not Transitional Justice Denied: Contemporary Confrontation of Japanese Human Experimentation During World War II Through a People's Tribunal,*](https://ssrn.com/abstract%3D3519689) *in* People's Tribunals, Human Rights, and the Law: Searching for Justice 163 (Regina Menachery Paulose ed., 2020).

**Amy F. Kimpel (Univ. of Alabama, School of Law)** has written *Violent Videos: Criminal Defense in a Digital Age*, \_\_ Ga. St. U. L. Rev. \_\_ (forthcoming 2020).

**Cynthia Lee (George Washington)** was named the Edward F. Howrey Professor of Law at the George Washington University Law School last summer. She also published two articles and a book chapter: *Probable Cause with Teeth*, 88 Geo. Wash. L. Rev. 101 (2020); *The Trans Panic Defense Revisited*, 57 Am. Crim. L. Rev. 1411 (2020); and *Race and the Criminal Law Curriculum* in The Oxford Handbook of Race and Law in the United States (Carbado ed. Oxford Univ. Press forthcoming 2021).

**Cortney Lollar (University of Kentucky)** published several works this year:[*Eliminating the Criminal Debt Exception to Debtors’ Prisons*](https://scholarship.law.unc.edu/cgi/viewcontent.cgi?article=6771&context=nclr), 98 N.C. L. Rev. 427 (2020); [*Invoking Criminal Equity’s Roots*](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3571407), 107 Va. L. Rev. \_\_ (*forthcoming* 2021); Evidence: Teaching Materials for an Age of Science and Statutes(8th ed. supp. 2020) (with Ronald Carlson, Edward Imwinkelried & Julie Seaman); and Feminist Judgments: Criminal Law (forthcoming 2021) (rewriting *McQuirter v. State*opinion).

**Michael Mannheimer (Northern Kentucky University)** has several current and forthcoming articles: [*Fraudulently Induced Confessions*](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3524131), 96 Notre Dame L. Rev. \_\_\_ (forthcoming 2021); [*Three-Dimensional Dual Sovereignty:  Observations on the Shortcomings of* Gamble *v.* UnitedStates](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3563128), 52 Tex. Tech. L. Rev. \_\_\_ (forthcoming 2020)(invited symposium submission); [*The Unusual Case of Anthony Chebatoris:  The “New Deal for Crime” and the Federal Death Penalty*](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3436500), 70 Syracuse L. Rev. \_\_\_ (forthcoming 2020); *Vagueness as Impossibility*, 98 Tex. L. Rev. 1049 (2020); and *Eighth Amendment Federalism* in The Eighth Amendment and Its Future in a New Age of Punishment (William Berry & Meghan Ryan, eds) (Cambridge U. Press 2020).

**Brian M. Murray (Seton Hall Law School**)reports the following works: [*Are Collateral Consequences Deserved? 95*Notre Dame L. Rev*. 1031 (2020)*](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3324807); [*Retributivist Reform of Collateral Consequences,*52 Conn. L. Rev. 863 (2020);](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3426056)*Retributive Expungement*, 169 U. Pa. L. Rev. \_\_\_(forthcoming 2021); and *Restorative Retributivism*, 75 Univ. Miami L. Rev. \_\_\_ (forthcoming 2021).

**Justin Murray (NYLS)** penned two articles this year.[*Prejudice-Based Rights in Criminal Procedure*](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3361890), 168 U. Pa. L. Rev. 277 (2020) and [*Policing Procedural Error in the Lower Criminal Courts*](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3675869), 89 Fordham L. Rev. \_\_ (forthcoming 2021).

**Alexandra Natapoff** has moved to **Harvard Law School**.  Her newest article is *Criminal Municipal Courts*, 134 Harv. L. Rev. \_\_\_ (forthcoming 2021).

**Michael O’Hear (Marquette)** published five articles this year: *Early Release for Prisoners Convicted of Violent Crimes: Can Anyone Escape the Incapacitation-Retribution Catch-22?,* [52 Conn. L. Rev. 653](https://9dbe8151-9304-4a03-b9a5-21e2dff85422.filesusr.com/ugd/c3e54a_d93edd73c0bf4978b3a337dfa63326c2.pdf) (2020); *Managing the Risk of Violent Recidivism: Lessons From Legal Responses to Sexual Offenses*, [100 B.U. L. Rev. 133](http://www.bu.edu/bulawreview/files/2020/01/OHEAR.pdf) (2020); *Actuarial Risk Assessment at Sentencing: Potential Consequences for Mass Incarceration and Legitimacy*, [38 Behavioral Sciences & L. 193](https://onlinelibrary.wiley.com/doi/10.1002/bsl.2460) (2020); *Violent Crime and Punitiveness: An Empirical Study of Public Opinion*, [103 Marq. L. Rev. 1035](https://scholarship.law.marquette.edu/mulr/vol103/iss3/15/) (2020)(with Darren Wheelock); and *Violent Crime and Media Coverage in One City: A Statistical Snapshot*, [103 Marq. L. Rev. 1007](https://scholarship.law.marquette.edu/mulr/vol103/iss3/14/) (2020).

**Ngozi Okidegbe** joined the faculty at the **Cardozo School of Law** in July 2020. Ngozi also has one forthcoming article: *The* *Democratizing Potential Of Algorithms?*53 Conn. L. Rev. \_\_\_ (forthcoming 2021).

**Michael Perlin (NYLS)** reports several current and forthcoming publications. *“A Self-Ordained Professor’s Tongue”: Therapeutic Jurisprudence in the Classroom****,*** International Society for Therapeutic Jurisprudence, O*ccasional Papers Series #1 (*Oct. 4, 2020), accessible at <https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3704764>; *“But, I Ain’t A Judge”: The Therapeutic Jurisprudence Implications of the Use of Non-Judicial Officers in Criminal Justice Cases,* 64 Am. Behav. Sci.1686(2020); *“Deceived Me into Thinking/I Had Something to Protect”: A Therapeutic Jurisprudence Analysis of When Multiple Experts Are Necessary in Cases in which Fact-finders Rely on Heuristic Reasoning and “Ordinary Common Sense,”* 13 Law J. Soc’l Just. 88 (2020); “*See This Empty Cage Now Corrode”: The International Human Rights Implications of Sexually Violent Predator Laws (*with Prof. Heather Ellis Cucolo), 23 New Crim. L. Rev. 388 (2020); *“A World of Steel-Eyed Death”: An Empirical Evaluation of the Failure of the Strickland Standard to Ensure Adequate Counsel to Defendants with Mental Disabilities Facing the Death Penalty*, 53 U. Mich. J. L. Ref. 261 (2020) *(*with Prof. Talia Roitberg Harmon and Sarah Chatt); *Why Lawyers and Forensic Mental Health Professionals Must be Trauma-Informed,* Foreword to Assessing Trauma in Forensic Contextsvii(Prof. Rafael Javier, Dr. Elizabeth Owen & Dr. Jemour A. Maddox eds. (Springer) (2020); *“I Met Another Man Who Was Wounded with Hatred”: How We Ignore the Sexual Needs and the Sexual Actions of Persons with Intellectual Disabilities*, in Intellectual and Developmental Disabilities and the Criminal Justice System (Voula Marinos et al eds.) (NADD Press 2020) (with Prof. Heather Ellis Cucolo and Alison J. Lynch, Esq.); Advanced Introduction to Mental Disability Law (Elgar Publ.) (forthcoming 2021); Justice Outsourced: The Therapeutic Jurisprudence Implications of Judicial Decision-Making by Non-Judicial Officers (Temple University Press) (forthcoming 2021); *“You That Build the Death Planes”: Bob Dylan, War and International Affairs*, 37 Ariz. J. Int’l & Compar. L. *\_* (2020); *“Something’s Happening Here/But You Don’t Know What It Is”: How Jurors (Mis)Construe Autism in the Criminal Trial Process (*with Prof. Heather Ellis Cucolo), \_\_ 82 U. Pitt. L. Rev. \_\_\_ (2020); *“Man Is Opposed to Fair Play”: An Empirical Analysis of How the Fifth Circuit Has Failed to Take Seriously* Atkins v. Virginia (with Prof. Talia Roitberg Harmon & Sarah Wetzel), \_\_ 11Wake Forest J.L. & Pol'y \_\_\_ (2021); and *“Some Mother's Child Has Gone Astray”: Neuroscientific Approaches to a Therapeutic Jurisprudence Model of Juvenile Sentencing* **(**with Alison J. Lynch, Esq.), 59 Fam. Ct. Rev. \_\_\_ (2021). Finally, Michael shared the following experience: “Along with other local (Trenton-Princeton, NJ) amateur musicians (I’m a clarinetist), I participated in a virtual orchestra session with the New Jersey Symphony, in which we played the third movement (scherzo) of Beethoven's 3d Symphony, the Eroica).”

**Eve Primus (Michigan)** published two articles this year: [*Disaggregating Ineffective Assistance of Counsel Doctrine:  Four Forms of Constitutional Ineffectiveness*, 72 Stanford L.Rev. 1581 (2020)](https://review.law.stanford.edu/wp-content/uploads/sites/3/2020/06/Primus-72-Stan.-L.-Rev.-1581.pdf) and *Incorporating Social Science Into Criminal Defense Practice*, The Champion (forthcoming 2020).

**Carolyn Ramsey (Colorado Law)** is publishing an article on the criminal justice reform efforts of newly enfranchised women in the first half of the twentieth century, *Women's Votes, Women's Voices, and the Limits of Criminal Justice Reform, 1911-1950*, 92 Univ. Colo. L. Rev. \_\_ (forthcoming 2021) and a book-in-progress tentatively titled, Houses of Pain: Domestic Violence and Legal Intervention in the United States, 1880-1994 (Cambridge Univ. Press, forthcoming).  In Spring 2020, she enjoyed co-organizing Colorado Law's 28th Annual Ira C. Rothgerber Conference on "Women’s Enfranchisement: Beyond the Nineteenth Amendment," which attracted a large international audience despite being forced into a webinar format by the pandemic!

**Anna Roberts (St. John’s)** published [*Convictions as Guilt*](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3389597), 88 Fordham L. Rev. 2501 (2020) and will publish [*Victims, Right?*](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3569623)*,* 42 Cardozo L. Rev. \_\_ (*forthcoming* 2021).

**Meghan Ryan (SMU)** was recently appointed as the new Associate Dean for Research at the SMU Dedman School of Law. She also wrote the following list of works that have been or will be published soon: The Eighth Amendment and Its Future in a New Age of Punishment (Berry & Ryan eds., Cambridge Univ. Press) (2020); [*Framing Individualized Sentencing for Politics and the Constitution*](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3715257), 58 Am. Crim. L. Rev. \_\_ (forthcoming 2021) (invited symposium contribution); [*Secret Algorithms, IP Rights, and the Public Interest*](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3691765), 21 Nev. L.J. \_\_ (forthcoming 2020); [*Escaping the Fingerprint Crisis: A Blueprint for Essential Research*](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3586713), 2020 U. Ill. L. Rev. 763 (2020); [*Secret Conviction Programs*](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3496055), 77 Wash. & Lee L. Rev. 269(2020); *Science and the Eighth Amendment*, *in*The Eighth Amendment and Its Future in a New Age of Punishment (Berry & Ryan eds., Cambridge Univ. Press) (2020); and *Eighth Amendment Values*(with William W. Berry III), *in*The Eighth Amendment and Its Future in a New Age of Punishment (Berry & Ryan eds., Cambridge Univ. Press) (2020). Finally, Meghan presented at several symposia this year: *Facial Recognition and the Fourth Amendment*, SMU Dedman School of Law (via Zoom), Dallas, TX (Nov. 6, 2020); *Framing Individualized Sentencing for Politics and the Constitution*, Georgetown Law School (via Zoom), Washington, DC (Oct. 20, 2020); and SMU Spring Teaching Symposium, Southern Methodist University, Dallas, TX (Jan. 16, 2020).

**Kenneth W. Simons (UC Irvine)** published *The Willful Blindness Doctrine: Justifiable in Principle, Problematic in Practice*, \_ Ariz. State L.J. \_ (2021) (forthcoming) (invited symposium).

**Christopher Slobogin (Vanderbilt)** received the Harvie Branscomb Distinguished Professor Award in October, 2020, awarded to one Vanderbilt University faculty member each year for distinction in scholarship, teaching and service. He also published and/or has the following forthcoming articles: *The Case for a Federal Criminal Court System (and Sentencing Reform)*, 108 Calif. L. Rev. 941 (2020); *“A World of Difference?”:  Law Enforcement, Genetic Data and the Fourth Amendment*, 70 Duke L. J. \_\_ (forthcoming, 2020) (with  James Hazel); *The Legality of Trickery During Interrogation*, in Interrogation, Confession and Truth (Eidam, Lindemann & Ransiek, eds., Nomos Publishing, 2020); Advanced Introduction to Criminal Procedure (Elgar Press, 2020); *The Law on Police Use of Force in the United States*, 21 German L. J. 171 (2020)(with Brandon Garrett); *Psychological Assessments in Legal Context: Are Courts Keeping “Junk Science” Out of the Courtroom?* 20 Psychol. Sci. in the Pub. Int. 135 (2020) (with Tess Neal, Michael Saks, Kurt Geisinger and David Faigman); and Just Algorithms: Using Science to Reduce Incarceration and Inform a Jurisprudence of Risk (Cambridge University Press, forthcoming, 2021).

**SpearIt** **(Thurgood Marshall School of Law, Texas Southern University)** reports several publications this year: [*Muslim Radicalization in Prison: Responding with Sound Penal Policy or the Sound of Alarm*](https://www.amazon.com/Islamophobia-Law-Cyra-Akila-Choudhury/dp/1108433715/ref%3Dsr_1_1?crid=2DX84DYRCJ1D8&dchild=1&keywords=islamophobia+and+the+law&qid=1602001125&sprefix=islamophobia+and+%2Caps%2C186&sr=8-1)*,* in Islamophobia and the Law (Cyra Akila Choudhury & Khaled Beydoun, eds., Cambridge Univ. Press 2020)(republished from 49 Gonzaga L.R. 37 (2014)); [*Implicit Bias in Criminal Justice: Growing Influence as an Insight to Systemic Oppression*](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3645536)in The State of Criminal Justice 2020 (American Bar Association 2020); [*Reimagining the Death Penalty: Targeting Christians, Conservatives*](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3651740), 68 Buff. L. Rev. 93 (2020); and [*The New Rap Sheet: Prosecuting Crimes, Chilling Free Speech*](https://judicature.duke.edu/articles/the-new-rap-sheet-prosecuting-crimes-chilling-free-speech/), 104 Judicature (2020).

**W. Robert (Will) Thomas** **(University of Michigan, Ross School of Business)** has written [*Corporate Criminal Law is Too Broad—Worse, It's Too Narrow*](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3720121), 53 Ariz. St. L.J. \_\_ (forthcoming 2021).

**Jenia Turner (SMU)** was awarded the Gerald J. Ford Research Fellowship, which recognizes outstanding research scholars at SMU and became an Affiliated Scholar at the Academy of Justice, Arizona State University.She alsowrote the following book chapters and forthcoming articles: *Fair Trial or Efficient Administration of Justice? Trends in Modern Criminal Procedure*, *in*The Future of Criminal Law (Elisa Hoven & Michael Kubiciel eds. 2020); *Defense Perspectives on Fairness and Efficiency at the International Criminal Court*, *in* Oxford Handbook on International Criminal Law 39 (Kevin Jon Heller et al. eds. 2020); *Negotiated Case Dispositions in Germany, England, and the United States*, *in* 1 Core Concepts in Criminal Law and Criminal Justice 389 (Kai Ambos et al. eds. 2020) (with Thomas Weigend); *Remote Criminal Justice*, 53 Texas Tech. L. Rev. \_\_\_(forthcoming 2021); and *Transparency in Plea Bargaining,*96 Notre Dame L. Rev. \_\_\_ (forthcoming 2020).

**Michael Vitiello (Univ. of the Pacific)** penned a book and several articles this year:

Bridge to Practice Series, Criminal Procedure Simulations Second Edition (2020); *The Warren Court’s Eyewitness Identification Case Law: What if*?, 51 U. Pac. L. Rev. 867 (2020); *The Victim Impact Statements: Skewing Criminal Justice Away from First Principles*, \_\_\_ NYU Annual Survey of the Law \_\_\_ (forthcoming 2020); *The War on Drugs: Moral Panic and Excessive Sentences*, 69 Clev. St. L. Rev. \_\_\_(forthcoming 2021); Miranda *is Dead; Long Live* Miranda*,* 54 Tex. Tech. L. Rev. \_\_\_\_ (forthcoming 2021); and *The End of the War on Drugs, the Peace Dividend and the Renewed Fourth Amendment?,* 73 Okla. L. Rev. \_\_\_ (forthcoming 2020).

**Jordan Blair Woods (University of Arkansas School of Law)** was granted tenure and promotion to Associate Professor of Law and Faculty Director of the Richard B. Atkinson LGBTQ Law & Policy Program.  His forthcoming publications include [*Traffic Without the Police*](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3702680), 73 Stan. L. Rev. \_\_\_\_(forthcoming 2021).

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*This newsletter was compiled by Cara H. Drinan, AALS Criminal Justice Section Secretary, The Catholic University of America, Columbus School of Law.*