

## **AYA GRUBER**

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### **ACADEMIC POSITIONS**

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**UNIVERSITY OF COLORADO LAW SCHOOL**, Boulder, CO 2010–present

POSITION: Professor of Law

HONORS: Fellow, Center for Values and Social Policy (2015-present)  
Jules Milstein Faculty Scholarship Award (2017)  
Gilbert Goldstein Writing Fellowship (2015)  
Outstanding New Faculty Member Award (2012)  
38<sup>th</sup> Annual Austin Scott, Jr. Lecture (2012)

**HARVARD LAW SCHOOL**, Cambridge, MA Fall 2017

POSITION: Visiting Professor (1L Criminal Law; Feminism & Crime Control Seminar)

**UNIVERSITY OF IOWA COLLEGE OF LAW**, Iowa City, IA 2008–2010

POSITION: Professor of Law

**FLORIDA INTERNATIONAL UNIVERSITY COLLEGE OF LAW**, Miami, FL 2002–2009

POSITION: Associate Professor of Law (tenured 2007), Founding Faculty Member

**COURSES:** Criminal Law, Criminal Procedure (Investigation and Adjudication), Torts, International Criminal Law, Victims and Defendants Seminar, Feminism and Crime Seminar, Critical Theory Seminar, Terrorism Law Seminar

**RESEARCH:** Criminal Law, Criminal Procedure, Feminism, Critical Race Theory, Critical Legal Studies, Comparative Criminal Law and Procedure

### **OTHER TEACHING:**

**HARVARD LAW SCHOOL**, Cambridge, MA September 2009

POSITION: Visiting Instructor, Trial Advocacy Workshop

**UNIVERSIDAD DE SEVILLA (FIU ABROAD PROGRAM), SEVILLA, SPAIN** Summer 2009

POSITION: Co-instructor (with Spanish faculty), International Criminal Law and Terrorism

### **EDUCATION**

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**HARVARD LAW SCHOOL**, J.D., 1997

HONORS: *magna cum laude*

High grades (A+) in Criminal Law and American Democracy

JOURNALS: *Women's Law Journal* (Articles Editor, vol. 19; General Editor, vol. 18)

*International Law Journal* (General Editor, vol. 37)

ACTIVITIES: Interracial Law Students' Association (founder, director), APALSA, Trial Team, Women's Law Society, Asia Law Society (conference chair), Drama Society

**UNIVERSITY OF CALIFORNIA AT BERKELEY**, B.A. in Philosophy, 1992

HONORS: Highest Distinction in General Scholarship (*summa cum laude*)

Phi Beta Kappa, Dean's List, Department Honors for graduate work and thesis

## **PUBLICATIONS AND WRITINGS**

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### **BOOKS:**

THE FEMINIST WAR ON CRIME: THE UNEXPECTED ROLE OF WOMEN'S LIBERATION IN MASS INCARCERATION (University of California Press 2020).

COMPARATIVE CRIMINAL PROCEDURE: UNITED STATES, ARGENTINA, AND NETHERLANDS (with V. de-Palacios & P.H. Van Kempen) (Carolina Academic Press 2012) (author and primary editor).

### **ARTICLES:**

*Sex Wars as Proxy Wars*, 6 CRIT. ANALYSIS L. 1, 102 (2019) (peer reviewed).

*Equal Protection under the Carceral State*, 112 NW. U. L. REV. 1 (2018).

*Penal Welfare and the New Human Trafficking Intervention Court*, 68 FLA. L. REV. 1333 (2017) (with A. Cohen & K. Mogulescu).

*Consent Confusion*, 38 CARDOZO L. REV. 415 (2017).

*Anti-Rape Culture*, 64 U. KANSAS L. REV. 1027 (2016).

*Rape Law Revisited*, 13 OHIO ST. J. CRIM. L. 279 (2016) (symposium editor's introduction) (peer reviewed).

*A Provocative Defense*, 103 CALIFORNIA L. REV. 273 (2015).

*When Theory Met Practice: Distributional Analysis of Race and Gender in Criminal Law*, 83 FORDHAM. L. REV. 3211 (2015).

*Race to Incarcerate: Punitive Instinct and the Bid to Repeal Stand-Your-Ground*, 68 U. MIAMI L. REV. 961 (2014).

*Murder, Minority Victims, and Mercy*, 85 COLORADO L. REV. 129 (2014).

*Neofeminism*, 50 HOUSTON L. REV. 1325 (2013).

*A "Neo-feminist" Assessment of Rape and Domestic Violence Law Reform*, 15 J. RACE, GENDER & JUST. 583 (2012).

*A Distributive Theory of Criminal Law*, 52 WM. & MARY L. REV. 1 (2010).

*An Unintended Casualty of the War on Terror*, 27 GA. ST. U. L. REV. 299 (2010).

*Rape, Feminism, and the War on Crime*, 84 WASH. L. REV. 581 (2009).

*Garbage Pails and Puppy Dog Tails: Is That What Katz is Made of?*, 41 U.C. DAVIS L. REV. 781 (2008) (invited).

*The Feminist War on Crime*, 92 IOWA L. REV. 741 (2007).

*Who's Afraid of Geneva Law?*, 39 ARIZ. ST. L.J. 1017 (2007).

*Sending the Self-Execution Doctrine to the Executioner*, 3 FIU L. REV. 54 (2007).

*Raising the Red Flag: The Continued Relevance of the Japanese Internment in the Post-Hamdi World*, 54 U. KANSAS L. REV. 307 (2006).

*Navigating Diverse Identities: Building Coalitions through Redistribution of Academic Capital, an Exercise in Praxis*, 35 SETON HALL L. REV. 1201 (2005).

*Righting Victim Wrongs: Responding to Philosophical Criticisms of the Nonspecific Victim Liability Defense*, 52 BUFFALO L. REV. 433 (2004).

*Victim Wrongs: The Case for a Criminal Defense Based on Wrongful Victim Behavior in an Era of Victim's Rights*, 76 TEMP. L. REV. 645 (2003).

*Pink Elephants in the Rape Trial: The Problem of Tort-type Defenses in the Criminal Law of Rape*, 4 WM. & MARY J. WOMEN & L. 203 (1998).

*Public Housing in Singapore: The Use of Ends-based Reasoning in the Quest for a Workable System*, 38 HARV. INT'L L. J. 236 (1997).

#### **BOOK CHAPTERS AND SHORTER WORKS:**

*#MeToo and Mass Incarceration*, 17 OHIO STATE J. CRIM L. 275 (2020).

*The Complexity of College Consent*, in ADJUDICATING CAMPUS SEXUAL MISCONDUCT: CONTROVERSIES AND CHALLENGES (Cognella Press 2020).

*Governance Feminism in New York's Prostitution Diversion Courts*, in GOVERNANCE FEMINISM: NOTES FROM THE FIELD (U. Minnesota Press, 2019) (with A. Cohen).

*An Accidental Governance Feminist: An Interview with Kate Mogulescu, Director of Legal Aid's Trafficking Victim's Advocacy Project*, in GOVERNANCE FEMINISM: NOTES FROM THE FIELD (U. Minnesota Press, 2019) (with A. Cohen).

*The Duty to Retreat and Violence against Women*, OXFORD HANDBOOK ON CRIMINAL LAW ONLINE (2017).

*Neofeminism*, in THE SAGE ENCYCLOPEDIA OF PSYCHOLOGY AND GENDER (2017).

*Zero Tolerance Comes to International Law*, 109 AM. J. INT'L L. UNBOUND 337 (2016) (peer reviewed).

*Not Affirmative Consent*, 47 MCGEORGE L. REV. 683 (2016) (invited response to Stephen Schulhofer, *Consent: What It Means to Get It and Why It's Time to Require It*).

*Duncan Kennedy's Third Globalization, Criminal Law and the Spectacle*, 3 COMP. L. REV. 3.4 (2012) (peer reviewed).

*Miscarriages of Race and Gender Justice*, 76 ALBANY L. REV. 1571 (2012-13).

*One More Casualty of the War on Terror*, in COURTS AND TERROR (Cambridge U. Press 2011).

*From Neoliberalism to Libertarianism: Why Neither Criminalization nor Privacy is the Answer for Battered Women*, in CRIMINAL LAW CONVERSATIONS (Oxford U. Press 2009).

*Hope with a Sprinkling of Concern*, in OBAMA REFLECTIONS (Ohio State Kirwan Institute 2009).

## **WORKS IN PROGRESS:**

*Race and Capital Punishment Studies and the Level-up Problem*, \_\_ HARV. CR-CL L.J. \_\_ (forthcoming 2020).

*Anticarceral Feminism*, \_\_ U. COLO. L. REV. \_\_ (forthcoming 2020).

*The Case Against Cop Prosecutions*, \_\_ HOUSTON L. REV. \_\_ (forthcoming 2020).

*Pet Victims*, in *CARCERAL LOGICS IN ANIMAL AND HUMAN SPACES* (Cambridge U. Press forthcoming 2021).

*Sex Exceptionalism in Criminal Law*.

*Abolitionisms*.

## **ONLINE COMMENTARY AND OPINION EDITORIALS:**

*Carceral Feminism at a Crossroad*, LAW AND POLITICAL ECONOMY (August 2020)

*The Carceral State Will Not Be Feminist*, GENDER POLICY REPORT (August 2020)

*How Police Became the Go-to Response to Domestic Violence*, SLATE (July 2020)

*Facts About Defunding the Police*, NEW YORK DAILY NEWS (JUNE 2020) (with B. Beck).

*Why Amy Cooper Felt the Police Were Her Personal "Protection Agency"*, SLATE (May 2020).

*Colorado Supreme Court Fails to Protect State Residents as Coronavirus Grows "Exponential" in Jails*, THE APPEAL (Apr. 2020) (with B. Levin).

*Domestic Violence is Also a Virus: During the Coronavirus Crisis, We Need the Right Criminal Justice Response to the Crime*, NEW YORK DAILY NEWS (Feb. 2020) (with L. Goodmark).

*#MeToo Doesn't Always Have to Mean Prison*, NEW YORK TIMES (Mar. 2020) (with L. Bazelon).

*After the Weinstein Verdict: Relief, and Some Fears a Bad Precedent May Have Been Set*, NEW YORK DAILY NEWS (Feb. 2020) (with C. Godsoe).

*Do Abolitionism and Constitutionalism Mix?* (reviewing Dorothy Roberts, *Abolition Constitutionalism* (2019)), JOURNAL OF THINGS WE LIKE LOTS [JOTWELL] (Feb. 2020).

*Making Drunk Sex a Crime: Why a New Push to 'Close a Loophole' Would Actually Establish a Troubling New Legal Regime*, NEW YORK DAILY NEWS (Jan. 2020).

*The Left's Law-and-Order Agenda* (reviewing Kate Levine, *Discipline and Policing* (2019)), JOURNAL OF THINGS WE LIKE LOTS [JOTWELL] (Mar. 2019).

*Corroboration is not Required*, THE HILL (Oct. 2018).

*The LGBT Piece of the Underenforcement-Overenforcement Puzzle* (reviewing Jordan Blair Woods, *LGBT Identity and Crime* (2017)), JOURNAL OF THINGS WE LIKE LOTS [JOTWELL] (Sept. 2016).

*Anti-Rape Culture* (reviewing Janet Halley, *Trading the Gavel for the Megaphone* (2014)), JOTWELL (Sept. 2015).

*Colorado Fetal Homicide Law Goes Too Far*, DENVER POST (April 2015) (with J. Hendricks).

*Zero Tolerance for Zero Tolerance of Domestic Violence*, NEW YORK TIMES (Feb. 2014).

*Marked!* (reviewing Issa Kohler-Hausmann, *Managerial Justice and Mass Misdemeanors* (2014)), JOTWELL (Nov. 2014).

*Rethinking Domestic Violence, Rethinking Violence* (reviewing LEIGH GOODMARK, *A TROUBLED MARRIAGE* (2012)), JOTWELL (Jan. 2014).

*Why We Need a Progressive Account of Violence* (reviewing James Forman, Jr., *Racial Critiques of Mass Incarceration: Beyond the New Jim Crow* (2012)), JOTWELL (Aug. 2012).

*The False Promise of Retributive Proportionality* (reviewing Alice Ristroph, *How (not) to Think Like a Punisher* (2009)), JOTWELL (July 2010).

#### **OTHER NOTABLE WRITING:**

Brief of the National Association of Criminal Defense Lawyers as Amicus Curiae in Support of Petitioner, *Gonzalez v. Crosby*, 545 U.S. 524 (2005).

*An Alternative Programmatic Vision of American Democracy: Creating Convergence through Social Indoctrination* (1997) (unpublished).

*An Analysis of P.F. Strawson's Objection to Immanuel Kant's Solution to the Third Antinomy of Pure Reason* (1992) (undergraduate honors thesis) (unpublished).

### **PROFESSIONAL MEMBERSHIPS AND SERVICE**

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#### **MEMBERSHIP**

American Law Institute (ALI) (2016-present)

Society of American Law Teachers (2009-2017)

Florida Bar (1998-present)

District of Columbia Bar (1999-present)

American Bar Association (1998-present)

Asian Pacific American Bar Association of South Florida (APABA) (2004-09)

- Founder, Member of Board of Directors

Non-Law Memberships: Japanese American Citizens' League, ACLU, NAACP

#### **SERVICE**

Adviser, ALI Model Penal Code Sexual Assault Project (2012-present)

Member's Consultative Group, ALI Campus Sexual Assault Project (2016-present)

Member's Consultative Group, ALI Campus Principles of Policing Project (2016-present)

VIOLENCE AGAINST WOMEN (Journal) Editorial Board (2020-present)

Colorado Criminal Defense Institute Board (2020-present)

FEMINIST JUDGMENTS – CRIMINAL LAW (book) Advisory Board (2019-present)

Association for the Study of Law Culture & Humanities, Program Committee (2015-16)

American Association of Law Schools (AALS) Mid-year Meeting Committee (2014-15)

AALS Paper Selection Committee (2013-14)

AALS Committee on Sections and the Annual Meeting (2012-13)

Law & Society Feminist Legal Theory Network, Conference Planning Committee (2012-13)

APABA Board of Directors (2004-07); APABA Chair of Community Service (2004-05)

## **SELECT RECENT ACADEMIC PRESENTATIONS (FULL LIST AVAILABLE ON REQUEST)**

### **PRESENTED PAPERS**

- Workshop Presentation, Sex Exceptionalism in Criminal Law*, New York, NY June 2020  
(Invited) Presented paper in Cardozo Law Summer Criminal Law Workshop.
- Colloquium Presentation, The Feminist War on Crime*, Stanford, CA May 2020  
(Invited) Presented book chapters for Stanford Law Criminal Law Colloquium Course.
- Colloquium Presentation, The Feminist War on Crime*, Baltimore, MD February 2020  
(Invited) Presented book chapters to U. Maryland Law faculty.
- Conference Presentation, The Feminist War on Crime*, New York, NY November 2019  
(Invited) Presented article at New York University Governance Feminism Conference.
- Conference Presentation, The Feminist War on Crime*, Denver, CO November 2019  
(Invited) Presented article at Denver Univ. Against Cages and Carceral Logic Conference.
- Colloquium Presentation, The Feminist War on Crime*, Cambridge, MA October 2019  
(Invited) Presented book chapters to Harvard Law faculty.
- Conference Presentation, Abolitionisms*, Austin, TX September 2019  
(Invited) Presented article at University of Texas Prison Abolition Conference.
- Conference Presentation, Sex Wars as Proxy Wars*, New Haven, CT September 2019  
(Invited) Presented article at Yale Queer Legal Studies Conference.
- Conference Presentation, The Feminist War on Crime*, Washington, DC June 2019  
Presented book excerpts at Law and Society Conference.
- Conference Presentation, Sex Wars as Proxy Wars*, Berkeley, CA January 2019  
(Invited) Presented article at Berkeley Law #MeToo event.
- Conference Presentation, The Feminist War on Crime*, New Orleans, LA January 2019  
(Invited) Presented book excerpt at AALS criminal law section panel.
- Conference Presentation, The Feminist War on Crime*, New Orleans, LA January 2019  
(Invited) Presented book excerpts at AALS evidence law section panel.
- Colloquium Presentation, The Feminist War on Crime*, Cambridge, MA October 2018  
(Invited) Presented book excerpts at Harvard Law School Prison Legal Assistance Program panel.
- Conference Presentation, The Feminist War on Crime*, Cambridge, MA October 2018  
(Invited) Presented book excerpts at Harvard Law School Lambda annual conference
- Conference Presentation, The Feminist War on Crime*, New York, NY July 2018  
Presented book excerpts at CrimFest Conference.
- Conference Presentation, The Feminist War on Crime*, Toronto, ON June 2018  
Presented book excerpts at Law and Society Conference.
- Colloquium Presentation, The Feminist War on Crime and Rape Culture*, Chicago, IL March 2018  
(Invited) Presented book excerpts to Chicago-Kent law faculty.
- Colloquium Presentation, The Feminist War on Crime and Rape Culture*, Lawrence, KS Jan. 2018  
(Invited) Presented book excerpts to University of Kansas law faculty.
- Colloquium Presentation, Consent Confusion*, White Plains, NY November 2017

(Invited) Presented Article to Pace Law School faculty.  
*Conference Presentation, Equal Protection Under the Carceral State*, Chicago IL October 2017  
 (Selected) Presented article at the Northwestern U. Symposium on *McCleskey v. Kemp*.

*Colloquium Presentation, Consent Confusion*, Cambridge, MA October 2017  
 (Invited) Presented Article for Harvard Law American Constitution Society event.

*Conference Presentation, Consent Confusion*, Lexington, KY September 2017  
 (Selected) Presented Article at the Violence Against Women Center's annual conference on campus sexual misconduct.

*Conference Presentation, Consent Confusion*, Mexico City, MX June 2017  
 (Selected) Presented Article at Law and Society Conference.

*Workshop Presentation, Consent Confusion*, Nashville, TN November 2016  
 (Invited) Presented Article at Vanderbilt Criminal Law Workshop.

*Workshop Presentation, Consent Confusion*, Atlanta, GA October 2016  
 (Selected) Presented Article at Vulnerability and the Law Workshop.

*Colloquium Presentation, Murder, Minority Victims, and Mercy*, Boulder, CO September 2016  
 (Invited) Presented article for Center for Values and Social Policy.

*Conference Presentation, An Experiment in Penal Welfare*, New Orleans, LA June 2016  
 (Selected) Presented Article at Law and Society Conference.

*Symposium Presentation, Anti-Rape Culture*, Stanford, CA April 2016  
 (Invited) Presented article at Stanford Journal of Criminal Law Symposium.

*Keynote Presentation, Consent Confusion and Anti-Rape Culture*, Boulder, CO April 2016  
 (Invited) Presented a "Think! Talk" for the Center for Values and Social Policy to undergraduates, graduate students, and community members.

*Conference Presentation, An Experiment in Penal Welfare*, Baltimore, MD March 2016  
 (Selected) Presented Article at University of Baltimore Applied Feminism Conference.

*Colloquium Presentation, Anti-Rape Culture*, Columbus, Ohio February 2016  
 (Invited) Presented article to Ohio State University Law School faculty.

*Conference Presentation, Consent Confusion*, NY, New York January 2016  
 (Invited) Presented article at the AALS Symposium on Rape.

*Conference Presentation, Anti-Rape Culture*, NY, New York January 2016  
 (Invited) Presented article at the AALS "hot topic" panel on Title IX.

*Colloquium Presentation, Consent Confusion*, Miami, FL November 2015  
 (Invited) Presented article to Florida International University Law School faculty.

*Symposium Presentation, Not Affirmative Consent*, Sacramento, CA November 2015  
 (Invited) Presented at U. Pacific Law Review Symposium on Sexual Assault.

*Symposium Presentation, Anti-Rape Culture*, Lawrence, KS October 2015  
 (Invited) Presented at Kansas Law Review Symposium on Campus Sexual Assault.

*Conference Presentation, An Experiment in Penal Welfare*, Vienna, Austria July 2015  
 Presented article at the International Association of Law and Mental Health Conference.

*Colloquium Presentation, A Provocative Defense*, Philadelphia, PA November 2014  
 (Invited) Presented article to Northeastern Law School faculty.

*Conference Presentation, When Theory Met Practice*, New York, NY November 2014  
(Invited) Presented article at the Critical Race Empiricism Symposium at Fordham Law School.

*Colloquium Presentation, Neofeminism*, Toronto, Canada October 2014  
(Invited) Presented article to University of Toronto Law School faculty.

*Colloquium Presentation, Neofeminism*, Toronto, Canada October 2014  
(Invited) Presented article to Osgoode Hall Law School faculty.

*Colloquium Presentation, A Provocative Defense*, Philadelphia, PA March 2014  
(Invited) Presented article to Drexel Law School faculty.

*Colloquium Presentation, Murder, Minority Victims and Mercy*, Buffalo, NY November 2013  
(Invited) Presented article to SUNY Buffalo Law School faculty.

*Conference Presentation, A Provocative Defense*, Chicago, IL October 2013  
Presented paper at 2013 LatCrit Conference.

*Colloquium Presentation, Murder, Minority Victims & Mercy*, Irvine, CA September 2013  
(Invited) Presented article to UC Irvine Law School faculty.

*Conference Presentation, Rape's Costs*, Cambridge, MA June 2013  
(Invited) Presented paper at Harvard International Global Law and Policy Conference.

*Conference Presentation, Murder, Minority Victims, and Mercy*, Boston, MA June 2013  
Presented paper at 2013 Law and Society Conference.

*Presentation, Murder, Minority Victims, and Mercy*, Boulder, CO April 2013  
(Invited) Presented paper at U. Colorado Feminism/Criminal Law Workshop I organized.

*Colloquium Presentation, Discriminatory Leniency in Murder Law*, Camden, NJ November 2012  
(Invited) Presented article to Rutgers Law School faculty.

*Keynote Presentation, Murder, Minority Victims, and Mercy*, Boulder, CO October 2012  
(Invited) Gave 38<sup>th</sup> annual Austin Scott, Jr. Lecture.

*Conference Presentation, Neo-feminism*, Honolulu, HI June 2012  
Presented paper at 2012 Law and Society Conference.

**OTHER PRESENTATIONS**

*Commenter/Moderator, Justice Reform Panels*, Palo Alto, CA June 2020  
(Invited) Paper commenter for Culp Conference hosted by Stanford Law.

*Conference Presentation, Suffrage and Sexual Assault*, Boulder, CO June 2020  
(Invited) Presented talk for University of Colorado Rothgerber Conference.

*Panelist, Criminal Law as Racialized Social Control*, Boston, MA February 2020  
(Invited) Participated in panel at BU Law Great Topics Symposium

*Keynote Presentation, The Laws of Attraction*, Denver, CO November 2018  
(Invited) Presented Colorado Law Talk lecture on sexual consent.

*Commenter, Harvard Criminal Justice Workshop*, Cambridge, MA May 2018  
(Invited) Commented at Harvard Law School Criminal Justice Workshop.

*Panelist, What's Next in Legal Education*, Orlando, FL October 2017  
(Invited) Participated in plenary panel at LatCrit Conference.

*Commenter/Moderator, Justice Reform Panels*, Phoenix, AZ February 2017



(Invited) Paper commenter and moderator at the Justice Reform Conference at Arizona State.  
*Panelist, Equal Protection and Capital Punishment, Denver, CO* January 2015  
 (Invited) Presented talk at of Denver University's Equal Protection Symposium.  
*Presenter, Comparative Criminal Procedure, U.S. and Colombia, Bogota, Colombia* November 2014  
 (Invited) Presented at Los Andes University conference on Legal Consciousness.  
*Panelist, Title IX and Campus Rape Policy Reform, Cambridge, MA* September 2014  
 (Invited) Presented talk and participated in panels at Harvard Law School "teach-in."  
*Moderator, Prosecutorial Discretion and Empirics, Stanford, CA* June 2014  
 (Invited) Moderated panel at Stanford Law School Prosecutorial Discretion Symposium.  
*Panelist, Redefining Equality through Difference/Modernity/Coloniality, Chicago, IL* October 2013  
 (Invited) Participated in plenary panel at 2013 LatCrit Conference.  
*Panelist, Feminism and Criminal Law, Cambridge, MA* October 2013  
 (Invited) Participated in panel on feminism and criminal law organized by Harvard Defenders.  
*Commenter, Economies of Desire Pro-Seminar, Cambridge, MA* June 2013  
 (Invited) Commented at Harvard Global Law and Policy Pro-Seminar, "Economies of Desire."  
*Commenter on "A Troubled Marriage," Boston, MA* June 2013  
 Commented on book for author-meets-reader session at 2013 Law and Society Conference.  
*Discussant, Critical Race Empiricism Workshop, Iowa City, IA* April 2013  
 (Invited) Served as discussant at Critical Race Empiricism Workshop at University of Iowa.  
*Panelist, Presumed Incompetent Stories, Berkeley, CA* March 2013  
 (Invited) Participated in panel at Presumed Incompetence Conference at U.C. Berkeley.

## **ACADEMIC SERVICE**

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### **LAW SCHOOL SERVICE**

Committees: Colloquium Committee (Chair, 2019-present); Appointments Committee (2018-19, 2010-11, 2004-05); Salary Grievance Committee (Chair, 2018-19); Academic Support Director Search Committee (Chair, 2016-17); Academic Support Committee (Chair, 2014-17); Judicial Clerkship Committee (2011-2018); Academic Affairs Committee (2013-15); Colloquium Committee (2013-14); Summer Stipend Committee (2015-16, 2012-13); Admissions Committee (2011-13, 2002-05); Diversity Committee (2009-10), Curriculum Committee (2009-10, 2007-08), Externship Subcommittee (2009-10), Academic Standards Committee (2006-08, Chair 2007-08), Library Committee (2002-08, Chair 2007-08) Academic Support Committee (2006-07), Graduate Program Committee (2006-07), Clinical Review Committee (2004-05), Ad Hoc Committee on Diversity Hiring (2003-04).

Other Service: Mass Incarceration Week Talk for NLG (2020); Women of Color Collective Dinner (2020), Mock Class for Orientation (2018, 2016), Colorado Law Talks (2018), Advisor to Dean on Sexual Misconduct Policy (2018); Mock Class for Women's Law Day (2013, 2014, 2015), Law Review Note Advisor (2018, 2014, 2015), Mock Trial Judge (2012, 2013), Feminism and Criminal Law Workshop Organizer (2013); Director of Critical Theory Colloquium (2013), Mock Classes for Admitted Students (2012), Diversity Survey Administration (2011-12), Adjunct Faculty Liaison (2011), Mock Trial Finals Judge (2010), Moot Court Problem Advisor (2010), Mock Class for Hubbard Minority Recruitment Program (2010), Women's Law Society Mock Class (2009),

*Journal of Race Gender & Justice* Welcome Remarks (2009), Advisor to Phi Alpha Delta (2004-08), Advisor to Criminal Law Society (2002-05), Advisor to Women's Law Society (2003-05), Organizer of Women Faculty-Student Forum (2005), Independent Study Advisor (2002-present).

## UNIVERSITY SERVICE

University of Colorado Privileges and Tenure Committee (2015-present)

- Vice Chair Elect (2020)
- Executive Committee (2016-present)
- Panel Chair (2016-present)
- Chaired Dismissal for Cause Hearing (2019)
- Trained in Mediation with CDR Associates (2016)

University of Colorado at Boulder Faculty Assembly (2013-2018)

- Representative from Law (2013-2018)
- Committee to Investigate Academic Freedom ("Adler Committee") (2013-14)

University of Colorado BFA Faculty Affairs Committee (2014-present)

Iowa Psychology Post-doctoral Study Advisor (2008-09)

FIU Institutional Review Board (IRB) (2003-08)

FIU University Faculty Senate Academic Policies Committee (2007-08)

FIU Psychology Master Thesis Advisor (2003-04)

## RECENT MEDIA

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### COVERAGE OF THE FEMINIST WAR ON CRIME

2020- ABA JOURNAL, "We need to reckon with feminism's contributions to mass incarceration, says law professor;" PEN AMERICA, "A Modern Feminist Reckoning: A review of Aya Gruber's *The Feminist War on Crime: The Unexpected Role of Women's Liberation in Mass Incarceration*;" LITERARY HUB, "The Complicated History of Feminism's Impact on Incarceration;" ARKANSAS DEMOCRAT GAZETTE, "Unintended Consequences;" JEZEBEL, "Cops Don't Care About Women;" SIGNAL BOOST SIRIUS XM; UNREGISTERED PODCAST; IPSE DIXIT PODCAST; MODERN LAW LIBRARY PODCAST; NEW BOOK NETWORK PODCAST; THIS IS HELL RADIO SHOW; GOOD LAW/BAD LAW PODCAST; PARALLAX VIEWS PODCAST; JEFF SCHECTMAN RADIO SHOW.

### PRINT COMMENTARY

2020- THE DENVER POST, "'Enough is enough': Why George Floyd's killing resonated so deeply in Colorado;" THE DENVER POST, "Colorado Supreme Court rules child abuse not applied in womb;" REASON, "Robert Kraft and Florida Massage Workers Are Still Fighting Unconstitutional Surveillance Video;" THE APPEAL, "The Defund Movement Aims to Change the Policing and Prosecution of Domestic Violence;" COLORADO POLITICS, "Court of Appeals defines parameters of 'resisting arrest';" NEW YORK TIMES, "'Finally': Ashley Judd and Other Weinstein Accusers Respond to Verdict;" TIME MAGAZINE, "Harvey Weinstein's Mixed Verdict Shows the Challenge of Prosecuting Sexual Assault;" HUFFPOST, "The Weinstein Verdict Is A Complicated Win For Survivors;" YAHOO NEWS, "With Weinstein's conviction, was #MeToo a success? ;" NEW YORK TIMES, "Weinstein Case May Boil Down to 'Credibility

- Contest’;” ABC NEWS, “Weinstein trial spotlights the use of ‘prior bad acts’ witnesses;” RAW STORY, “Law professor who studied under Alan Dershowitz shreds his ‘shockingly wrong’ case against impeaching Trump;” REASON, “Massage Parlor Panic;” THE DENVER POST, “Can a baby be abused in the womb? Colorado Supreme Court weighs a nuanced case.”
- 2018-19 THE NEW YORKER, “The End of the Gay-Panic Legal Defense;” VARIETY, “Aziz Ansari, Chris Hardwick’s Reemergence Complicate the #MeToo Conversation;” BEYOND THE BOX SCORE, “Towards a new approach to MLB’s domestic violence policy;” PEOPLE, “Behind the Scenes of Family Murderer Chris Watts’ Surprising Guilty Plea;” ABOVE THE LAW, “Is Redefining Criminal Sexual Misconduct The Way To Address #MeToo?;” THE ALI ADVISER, “Why Is Defining Consent So Difficult?;” CU INDEPENDENT, “What happens after: Title IX as an alternative to civil or criminal court;” CU INDEPENDENT, “Title IX: What is it and how has it evolved to get here?;” PACIFIC STANDARD MAGAZINE, “Brett Kavanaugh’s Trip to the Twilight Zone;” PACIFIC STANDARD MAGAZINE, “Why Kavanaugh Should Welcome an FBI Investigation;” PUEBLO CHIEFTAN, “CU professor says Kavanaugh, Thomas hearings considerably different;” COLORADO LAW WEEK, “CU Law Talks Turns to ‘Laws of Attraction;” ABC NEWS, “Bill Cosby’s fate could turn on a pivotal court decision expected next week;” MINNEAPOLIS STAR TRIBUNE, “How Alcohol Foils Rape Investigations;” REAL CLEAR POLITICS, “End the Bias in Campus Sexual-Misconduct Tribunals.”
- 2016-17 MEDIUM, “Defending Rape Cases as a Feminist;” THE HARVARD LAW RECORD, “The Top 5 Pieces of Advice for 1Ls;” TIMES HIGHER EDUCATION, “DeVos’ rule changes on handling sexual assault will benefit everyone;” CU INDEPENDENT, “Boulder Faculty Assembly Condemns Immigration Ban, Urges CU Administration to do the Same;” 9 NEWS, “Does the Fifth Amendment cover documents?;” WESTWORD, “New Bill Could Change Felony-Murder Law, but It Won’t Help Luke Pelham;” NBC NEWS.COM, “Bill Cosby Trial: Judge to Decide Whether to Allow Past Accusers’ Testimony;” NEW YORK TIMES, “Knicks’ Preseason to Begin With Derrick Rose Under Cloud of Rape Case;” FUSION, “Derrick Rose tried to slut-shame his rape accuser;” CU INDEPENDENT, Inside CU’s attempt to combat on-campus sexual assault;” COURTHOUSE NEWS, “Campus Sexual Assault: Who Should Be the Judge and Jury?;” THE GLOBE AND MAIL, “Should universities police sexual assault?;” THE WEEKLY STANDARD, “A Real Dialogue for a Change;” REASON, “Law Professors Against Title IX.”
- 2014-15 VICE, “A Colorado Jury Will Need to Decide if the ‘Dark Knight’ Shooter Is Insane or Simply Evil;” DPA International, “Judging “insanity” in an unthinkable crime;” LAW WEEK COLORADO, “SCOTUS Hears Arguments On Execution Drugs;” BUZZFEED, “Teaching Rape Law in the Age of Trigger Warnings;” U.S. NEWS, “A Tale of Two ‘Personhood’ Amendments;” SLATE.COM, “Colorado Says No to Personhood for the Third Time;” THE WASHINGTON TIMES, “What Does Legal Pot Mean for Crime?;” THE DENVER POST, “Few and tricky options for defense attorneys in Observatory Park case;” THE BOULDER DAILY CAMERA, (multiple articles); DENVER POST, “Evil Isn’t that Simple”
- 2012-13 DENVER POST, “In rare ruling, Denver judge acquits pot activist of charge;” DENVER POST, “Colorado judges decline to change nearly 1,400 inmate sentences that may have

- been questionable;" BLOOMBERG NEWS, "Shooting Suspect Insanity Plea Seen as Delaying Trial;" SLATE.COM, "Why Are There Statutes of Limitations in Child Rape Cases?"
- 2009-11 SLATE.COM, "Why Did NYC Cops Beat Those Rape Charges Despite Good Evidence;" COURTHOUSE NEWS, "Strauss-Kahn Jeered by Maids at Arraignment;" COURTHOUSE NEWS, "When Juries Sideline Rape, Activists Look Outside the Courts;" COURTHOUSE NEWS, "Union Organizes Hotel Maids to Protest Against Strauss-Kahn;" THE DAILY IOWAN, "Jury to Deliberate in Everson Trial"; SLATE.COM, Explainer: "Is 'Sex by Surprise' Illegal in the United States"; THE OREGONIAN, "Portland Bomb Plot Case Likely to Serve as Primer on Entrapment"; WIRED MAGAZINE, "Ask Mr. Know-it-all"; DES MOINES REGISTER, "Becker Trial: What is Insanity"; DES MOINES REGISTER, "Becker Trial: Closing Arguments Today"; DES MOINES REGISTER, "Does an Older Jury Undercut Defense"; IOWA TIMES-REPUBLICAN, "Judge Narrows Jury Pool to 36 in Becker Case"; CEDAR RAPIDS GAZETTE, "Mock Jury Convened in Kehoe Trial"; THE DAILY IOWAN, "Testimony in Everson Trial Expected to Begin on Monday"; THE DAILY IOWAN, "Schiefer Guilty of Sexual Abuse, Burglary."

## **BROADCAST COMMENTARY**

- 2019-20 Viewpoints Canada (Weinstein and #MeToo); NPR All Things Considered (Weinstein Case and Victim Behavior); NPR All Things Considered (Weinstein Case and Prior Bad Acts Evidence); CBS 48 Hours (Patrick Frazee Murder Conviction); CBS Evening News (Kelsey Berreth Homicide); CBS 48 Hours (Kelsey Berreth Homicide Investigation); KDRO News (Devon Bailey Shooting); KDRO News (Domestic Violence Homicide); Public News Service (*Kahler v. Kansas*); ALI Podcast (Sexual Consent).
- 2017-18 Background Briefing (Kavanaugh Hearing); Denver 9 News (Kavanaugh Hearing); KOA Denver (Kavanaugh hearing); Atlantic Education Summit (#MeToo on College Campuses); Denver 7 News (Taylor Swift Trial); Denver 7 News (Planned Parenthood Shooting).
- 2014-16 Denver 7 News (Holmes Trial); Denver 7 News (Holmes Jury Selection); Denver 7 News (Dynel Lane Arrest); Denver 7 News (Dynel Lane charges); Denver 7 News (Make-my-day Law); Politico (Fetal Homicide Laws); Denver 31 News (Cell Phone Searches); Colorado Public Radio (Death Penalty); Denver 9 News (High School Bombing Suspect).
- 2010-13 Denver 7 News (Lie Detectors in Courtroom); Denver 9 News (Austin Sigg Transfer Hearing); Denver 7 News (Jessica Ridgeway Case); Colorado Public Radio (Juvenile Convictions); Denver 9 News (Jessica Ridgeway Case); Fox 31 News (Jessica Ridgeway Case); Denver 7 News (Perrish Cox Acquitted); Denver 7 News (Dougherty Gang Captured); Denver 7 News (Bin Laden Killed); Denver 7 News (Charges in Colorado Anthrax Scare); Denver 7 News (Pakistan Drops Charges against CIA Agent).

## **PREVIOUS WORK EXPERIENCE**

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FEDERAL PUBLIC DEFENDER (S.D. FLA.), Miami, FL 2001 - 2002  
*Staff Attorney.* Prepared and litigated federal criminal cases in U.S. District Court.

PUBLIC DEFENDER SERVICE, Washington, D.C. 1999 - 2001  
*Staff Attorney.* Investigated, prepared, and tried variety of felony criminal cases. Invitee to Annual Judicial Conference (2000).

EAST ASIA 1998 - 1999  
*Writer.* Wrote travel blog for on-line publication during extensive travel in East Asia and India.

THE HONORABLE JAMES LAWRENCE KING, U.S. District Court, Miami, FL 1997 - 1998  
*Law Clerk.* Researched and drafted judicial opinions on federal law.

PROFESSOR ALAN DERSHOWITZ, Harvard Law School, Cambridge, MA 1995 - 1996  
*Research Assistant.* Researched criminal issues. Assisted drafting book, *Reasonable Doubts*.

O'MELVENY & MYERS and HELLER, EHRMAN, ETC., San Francisco, CA Summer 1996  
*Summer Associate.* Researched in areas including trademark, habeas, and employment law.

STEEL, HECTOR & DAVIS, Miami, FL Summer 1995  
*Summer Associate.* Researched in areas including commercial, criminal and tax law.

## **PERSONAL**

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Working knowledge of Spanish and French. Enjoy international travel, song writing, singing, playing guitar and piano, salsa dancing, and diving.