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LEGAL AND PRE-LEGAL EDUCATION

LL.M., *University of Virginia Law School*, 1979.

J.D., *University of Virginia Law School*, 1977.

A.B., *Princeton University*, 1973.

LEGAL TEACHING EXPERIENCE

Appointments:

Vanderbilt University: Milton Underwood Professor of Law, 10/09 - present; Professor of Law, 7/08-present; Professor, Department of Psychiatry (secondary appointment), 2/09 - present.

University of Florida: Stephen C. O'Connell Chair, 8/98-7/08; Alumni Research Scholar, 6/94-8/98; Prof., 3/87; Associate Prof., 3/85-3/87; Assistant Prof., 9/82-3/85; Affiliate Prof., Dep't Psychiatry, 3/95-7/08.

University of South Florida: Adjunct Professor, Department of Mental Health, 6/86 - present.

Visitorships:

Oxford University, Centre for Criminology (Fellowship), 5/17-7/17.

Stanford Law School, Edwin A. Heafey Visiting Scholar, 9/06-5/07.

University of California, Hastings Law School, 1/05-5/05; 1/03-5/03.

University of Frankfurt Law School, Frankfurt, Germany, 4/01-7/01.

University of Southern California Law School, 1/00-5/00.

Monash University, Melbourne, Australia, 2/91-6/91.

University of Virginia Law School, 8/88-6/89.

University of Nebraska Law School, 6/88-8/88.

Kiev University Law School, Kiev, Ukraine, Fulbright Scholar, 10/87-12/87.

Courses Taught

Criminal Procedure I & II	Mental Health Law	Professional Responsibility
Comparative Criminal Procedure	Health Law	Evidence
Criminal Law	Law & Social Science	Civil Procedure
White Collar Crime	Forensic Practicum	Introduction to Law

Teaching Awards/Evaluations:

Average Overall Evaluation Score, fall, 2003 through fall, 2017: 4.6 (out of 5)

Teaching Improvement Program Award, Univ. Florida, 1995-96 (awarded to 4 teachers for superior teaching).

Teacher of the Year, Univ. Florida College of Law, 1986-87.

PUBLICATIONS (most unpublished works may be accessed at <http://ssrn.com/author=55346>)

Books

JUVENILES AT RISK: A PLEA FOR PREVENTIVE JUSTICE (w/ Mark Fondacaro) (Oxford Univ. Press, 2011).

PROVING THE UNPROVABLE: THE ROLE OF LAW, SCIENCE, AND SPECULATION IN ADJUDICATING CULPABILITY AND DANGEROUSNESS (Oxford Univ. Press, 2007).

PRIVACY AT RISK: THE NEW GOVERNMENT SURVEILLANCE AND THE FOURTH AMENDMENT (Univ. Chicago Press, 2007).

MINDING JUSTICE: LAWS THAT DEPRIVE PEOPLE WITH MENTAL DISABILITY OF LIFE AND LIBERTY (Harvard Univ. Press, 2006).

COMMUNITY MENTAL HEALTH CENTERS AND THE COURTS: AN EVALUATION OF COMMUNITY-BASED FORENSIC SERVICES (Univ. Neb.Press, 1985) (w/ Gary Melton & Lois Weithorn).

Texts

- MODERN SCIENTIFIC EVIDENCE (w/ David Faigman Edward Cheng, Jennifer Mnookin, Erin Murphy & Joseph Sander) (Thomson Reuters, 2018-19 ed., updated yearly). Responsible for five chapters: *Insanity, Diminished Capacity and Competency in Criminal Cases; Clinical and Actuarial Predictions of Violence Prediction; Rape Trauma Syndrome; Eyewitness Identifications; Hypnosis*.
- PSYCHOLOGICAL EVALUATIONS FOR THE COURTS: A HANDBOOK FOR MENTAL HEALTH PROFESSIONALS AND LAWYERS (Guilford, 4th ed., 2018) (w/ G. Melton, J. Petrila, R. Otto, L. Condie and D. Mossman) (1st ed.--Winner, *Behavioral Science Book Award, 1988*).
- CRIMINAL PROCEDURE: AN ANALYSIS OF CASES AND CONCEPTS (Foundation Press, 6th ed., 2015 & ann. supps) (w/ Charles Whitebread).
- LAW AND THE MENTAL HEALTH SYSTEM: CIVIL AND CRIMINAL ASPECTS (Westgroup, 6th. ed., 2014 & supps.) (w/ Thomas Hafemeister & Douglas Mossman).
- CRIMINAL PROCEDURE--REGULATION OF POLICE INVESTIGATION: LEGAL, HISTORICAL, EMPIRICAL AND COMPARATIVE MATERIALS (Reed-Elsevier/ Michie Co, 5th ed., 2012 & supps).

Law Review Articles

- The Case for a Federal Criminal Justice System (and Sentencing Reform)*, CAL. L. REV. (forthcoming, 2019).
- Arnold Loewy on Dangerousness, Disability and DNA*, TEXAS TECH L. REV. (forthcoming, 2019) (symposium).
- Algorithmic Risk Assessment and the Double-edged Sword of Youth* (with Megan Stevenson), 96 WASH. U. L. REV. 1-26 (2018) (longer version: 36 BEHAVIORAL SCIENCES & THE LAW 638-656 (2018)).
- Who Knows What, and When?: A Survey of Privacy Policies Proffered by U.S. Direct-to-Consumer Genetic Testing Companies* (with James Hazel), 28 CORNELL J. L. & PUB. POL'Y 35-66 (2018).
- Principles of Risk Assessment: Sentencing and Policing*, 15 OHIO ST. J. CRIM. L. 583-596 (symposium, 2018); see also 36 BEHAVIORAL SCIENCES & THE LAW 507-516 (2018) (version addressed to researchers).
- Manipulation of Suspects and Unrecorded Questioning: After 50 Years of Miranda Jurisprudence, Still Two (or Maybe Three) Burning Questions*, 97 B. U. L. REV. 1157-96 (2017) (featured in THE CHAMPION and republished, with small revisions, by Bielefeld University, Germany).
- Policing as Administration*, 165 U. PA. L. REV. 91-152 (2016).
- The American Bar Association's Criminal Justice Mental Health Standards: Revisions for the Twenty-First Century*, 44 HASTINGS CONST. L. Q. 1-35 (2016).
- The Science of Gatekeeping: Using the Structure of Scientific Inference to Draw the Line Between Admissibility and Weight in Expert Testimony*, 110 NW.U.L. REV. 859-904 (2016) (with David Faigman & John Monahan).
- Teaching a Course on Regulation of Police Investigation—A Multi-Perspective, Problem-Oriented Course*, 60 ST. LOUIS UNIV. L. REV. 527-541 (2016) (symposium).
- Plea Bargaining and the Substantive and Procedural Goals of Criminal Justice: From Retribution and Adversarialism to Preventive Justice and Hybrid-Inquisitorialism*, 57 WM. & MARY. L. REV. 1505-47 (2016) (symp.).
- Defense of Privacy as the Central Value Protected by the Fourth Amendment*, 48 TEXAS TECH L. REV. 143-163 (2016) (symposium).
- How Changes in American Culture Triggered Hyper-Incarceration: Variations on the Tazian View*, 58 HOWARD L. J. 305-331 (2015) (symposium).
- Standing and Covert Surveillance*, 42 PEPPERDINE L. REV. 517-548 (2015) (symposium).
- Scientizing Culpability: The Implications of Florida v. Hall and the Possibility of a "Scientific" Stare Decisis*, 23 WM. & MARY BILL RTS. J. 415-430 (2014) (symposium).
- Panvasive Surveillance, Political Process Theory and the Nondelegation Doctrine*, 102 GEO. L.J. 1721-1776 (2014).
- Cause to Believe What? The Importance of a Search's Object—Or How the ABA Would Analyze the NSA Metadata Surveillance Program*, 66 OKLA. L. REV. 725-746 (2014) (symposium).
- Group to Individual (G2i) Inference in Scientific Expert Testimony*, 81 U. CHI. L. REV. 417-480 (2014) (with David Faigman & John Monahan).
- Lessons from Inquisitorialism*, 87 S.CAL. L. REV. 699-731 (2014) (symposium).
- Empirical Desert and Preventive Justice: A Comment*, 17 NEW CRIM. L. REV. 376-403 (2014) (reply).
- Treating Juveniles Like Juveniles: Ending Transfer and Expanding Juvenile Court Jurisdiction*, 43 TEXAS TECH L. REV. 106-132 (2013) (symposium).
- The Exclusionary Rule: Is It on Its Way Out? Should It Be?* 10 OHIO ST. J. CRIM. L. 341-355 (2013) (symposium).

Putting Desert in Its Place, 65 STANFORD L. REV. 77-135 (2013) (with Lauren Brinkley-Rubinstein).

Community Control over Camera Surveillance: A Reply to Professor Capers, 40 FORD. URB. L. J. 993-998 (2013) (symposium).

Rehnquist and Panvasive Searches, 82 MISS. L. J. 307-328 (2012) (symposium).

Making the Most Out of United States v. Jones in a Surveillance Society: A Statutory Implementation of Mosaic Theory, 8 DUKE J. CONST. L. & PUB. POLICY 1-37 (2012).

Sell's Conundrums: The Right of Incompetent Defendants to Refuse Anti-Psychotic Medication, 89 WASH. UNIV. L. REV. 1523-1543 (2012).

Comparative Empiricism and Police Investigation, 37 N.C. J. INT'L & COMM'L L. 321-348 (2011) (symposium).

Prevention as the Primary Goal of Sentencing: The Modern Case for Indeterminate Dispositions in Criminal Cases, 48 SAN DIEGO L. REV. 1127-1172 (2011) (symposium).

Some Hypotheses about Empirical Desert, 42 ARIZ. ST. L. REV. 1189-1202 (2011) (symposium).

Citizens United and Corporate and Human Crime, 14 THE GREEN BAG 77-86 (2010) (a version of this article also appeared at 41 STETSON L. REV. 127-136 (2011) (symposium)).

Government Dragnets, 73 J. LAW & CONTEMP. PROBS. 107-143 (2010) (symposium).

The Right to Voice Reprised, 40 SETON HALL L. REV. 1647-62 (2010) (symposium).

Proportionality, Privacy, and Public Opinion: A Reply to Kerr and Swire, 94 MINN. L. REV. 1588-1619 (2010).

Justice Ginsburg's Gradualism in Criminal Procedure, 70 OHIO STATE L.J. 867-887 (2009) (symposium).

Distinguished Lecture: Surveillance and the Constitution, 55 WAYNE STATE L. REV. 1105-1130 (2009).
Republished in 37 SEARCH & SEIZURE L. REP. No. 8 (Sept., 2010).

A Defense of the Integrationist Test as a Replacement for the Special Defense of Insanity, 42 TEX. TECH. L. REV. 523-542 (2009) (symposium).

Juvenile Justice: The Fourth Option, 95 IOWA L. REV. 1-65 (2009) (with Mark Fondacaro).

The Death Penalty in Florida, 1 ELON L. REV. 17-64 (2009) (symposium).

Mental Illness and Self-Representation: Faretta, Godinez and Edwards, 7 OHIO ST. J. CRIM. L. 391-411 (2009).

Introduction to the Symposium on the Model Penal Code's Sentencing Revisions, 61 U. FLA. L. REV. 665-682 (2009).

Experts, Acts and Mental States, 38 SETON HALL L. REV. 1009-30 (2008) (symposium).

Government Data Mining and the Fourth Amendment, 75 U. CHI. L. REV. 317-41 (2008) (symposium).

Lying and Confessing, 39 TEXAS TECH L. REV. 1275-1292 (2007) (symposium).

The Liberal Assault on the Fourth Amendment, 4 OHIO ST. J. CRIM. L. 603-18 (2007).

Tarasoff as a Duty to Treat: Insights from Criminal Law, 75 CIN. L. REV. 645-51 (2006) (symposium).

Dangerousness and Expertise Redux, 56 EMORY L. J. 275-323 (2006).

Reconceptualizing Due Process in Juvenile Justice: Contributions from Law and Social Science, 57 HASTINGS L. J. 955-989 (2006) (with Mark Fondacaro & Tricia Cross).

Transaction Surveillance by the Government, 75 MISSISSIPPI L.J. 139-191 (2005) (symposium).

Mental Disorder as an Exemption from the Death Penalty: The ABA-IRR Task Force Recommendations, 54 CATH. U. L. REV. 1133-1152 (2005) (symposium).

The Civilization of the Criminal Law, 58 VANDERBILT L. REV. 121-168 (2005).

Prosecuting Martha: Federal Prosecutorial Power and the Need for a Law of Counts, 109 PENN STATE LAW REVIEW 1107-1131 (2005) (with Michael Seigel) (symposium).

Subpoenas and Privacy, 54 DEPAUL L. REV. 805-845 (2005) (symposium).

Is Atkins the Antithesis or the Apotheosis of Anti-Discrimination Principles?: Sorting Out the Groupwide Effects of Exempting People with Mental Retardation from the Death Penalty 55 ALABAMA L. REV. 1101-1107 (2004) (symposium).

The Integrationist Alternative to the Insanity Defense: Reflections on the Exculpatory Scope of Mental Illness in the Wake of the Andrea Yates Case, 30 AM. J. CRIM. L. 315-341 (2004) (symposium).

Teaching a Course on Regulation of the Police (with a Special Focus on the Sixth Amendment), 42 BRANDEIS LAW JOURNAL 389-404 (2003-04) (symposium).

Rethinking Legally Relevant Mental Illness, 29 OHIO N. L. REV. 497-530 (2003) (symposium).

A Jurisprudence of Dangerousness, 98 NW. U. L. REV. 1-62 (2003).

What Atkins Could Mean for People with Mental Illness, 33 NEW MEX. L. REV. 293-314 (2003) (symposium).

Toward Taping, 1 OHIO STATE J. CRIMINAL LAW 309-322 (2003) (essay in inaugural issue).

The Structure of Expertise in Criminal Cases, 34 SETON HALL L. REV. 105-126 (2003) (symposium). Also published in Chinese, in 6 CRIM. RESEARCH 27 (2004).

The Poverty Exception to the Fourth Amendment, 55 U. FLA. L. REV. 391-412 (2003) (symposium).

Public Privacy: Camera Surveillance of Public Places and the Right to Anonymity, 72 MISS. L.J. 213-315 (2002) (symposium).

Peeping Techno-Toms and the Fourth Amendment: Seeing Through Kyllo's Rules Governing Technological Surveillance, 86 MINN. L.REV. 1393-1437 (2002) (symposium).

The Hartman Hotz Lecture—Race-Based Defenses: The Insights of Traditional Analysis, 54 ARK. L. REV. 739-776 (2002).

An Empirically-Based Comparison of American and European Regulatory Approaches to Police Investigation, 22 MICH. J.INT'L L. 423-456 (2001).

Doubts About Daubert: Psychiatric Anecdotes as a Case Study, 57 WASH. & LEE L. REV. 919-948 (2000).

An End to Insanity: Recasting the Role of Mental Disability in Criminal Cases, 86 VA. L. REV. 1199-1247 (2000).

Mental Illness and the Death Penalty, 1 CALIF. CRIM. L. REV. 3, www.boalt.org/CCLR (2000) (inaugural issue).
Republished in 24 MENT. & PHYS. DIS. L. REP. 667-677 (2000).

The Criminal Defense Lawyer's Fiduciary Duty Toward Clients with Mental Disability, 68 FORDHAM L.REV.1581-1642 (2000)(w/ Amy Mashburn) (symposium).

Is Justice Just Us? Foreword to Symposium on Community Views and Criminal Justice, 28 HOFSTRA L. REV. 601-610 (2000).

Terms of Endearment and Articles of Impeachment, 51 U.FLA. L. REV. 615-640 (1999) (w/ Charles Collier)

A Prevention Model of Juvenile Justice: The Promise of Kansas v. Hendricks for Children, 1999 WISC.L.REV. 185-226 (1999) (w/ Mark Fondacaro and Jennifer Woolard).

Treating Kids Right: Deconstructing and Reconstructing the Amenability to Treatment Concept, 10 J. CONTEMP. LEG. ISS. 299-333 (1999) (symposium).

Why Liberals Should Chuck the Exclusionary Rule, 1999 U.ILL.L.REV. 363-446 (1999). *Republished in* 26-27 SEARCH & SEIZURE L. REP. (Dec. 1999-Jan. 2000).

Let's Not Bury Terry: A Call for Rejuvenation of the Proportionality Principle, 72 ST. JOHN'S L. REV. 1053-1095 (1998) (symposium). *Republished in* 26 SEARCH & SEIZURE L. REP.125 (1999).

Psychiatric Evidence in Criminal Trials: To Junk or Not to Junk?, 40 WM.& M. L.REV. 1-56 (1998).

Deceit, Pretext, and Trickery: Investigative Lies by the Police, 76 OREGON L. REV. 755-800 (1997) (symposium, with responses by Robert Mosteller and Margie Paris).

Technologically-Assisted Physical Surveillance: The American Bar Association's Tentative Draft Standards, 10 HARV. J. L. & TECH. 383-463 (1997) (symposium).

Having It Both Ways: Proof that the Supreme Court is "Unfairly" Prosecution-Oriented, 48 U.FLA. L. REV. 743-59 (1996) (special Florida faculty issue).

Testifying: Police Perjury and What to Do About It, 67 COLO. L. REV. 1037-1060 (1996) (symposium). *Republished in* 24 SEARCH & SEIZURE L. REP. 101 (1997).

Prosecution Discovery in the U.S: A Balancing Perspective, 36 CRIM. L. Q. 423-447 (1994).

Reasonable Expectations of Privacy and Autonomy in Fourth Amendment Cases: An Empirical Look at "Understandings Recognized and Permitted by Society", 42 DUKE L. J. 727-775 (1993) (w/ J. Schumacher)
Briefer version: 17 LAW & HUM. BEH. 183 (1993).

The World Without a Fourth Amendment, 39 U.C.L.A. L. REV. 1-107 (1991).

Treatment of the Mentally Disabled: Rethinking the Community First Idea, 69 NEB. L. REV. 413-433 (1990) (symposium). *Republished in* LAW AND PSYCHOLOGY: THE BROADENING OF THE DISCIPLINE, ch. 9 (Ogloff ed., 1992).

State Adoption of Federal Law: Exploring the Limits of Florida's "Forced Linkage" Amendment, 39 U. FLA. L. REV. 653-732 (1987).

The Guilty But Mentally Ill Verdict: An Idea Whose Time Should Not Have Come, 53 GEO.WASH. L. REV. 494-527 (1985) (symposium).

Dangerousness and Expertise, 133 U.PA. L. REV. 97-174 (1984).

Estelle v. Smith: Constitutional Contours of the Forensic Evaluation Process, 31 EMORY L. J. 71-138 (1982).
Republished in 1984 CRIMINAL L. REVIEW.

Capacity to Contest a Search and Seizure: The Passing of Old Rules and Some Suggestions for New Ones, 18 AM. CRIM. L. REV. 387-418 (1981). *Republished in* 1982 CRIM. L. REP.; 1982 NAT'L. L. REV.REP.

The Role of Mental Health Professionals in the Criminal Process: The Case for Informed Speculation, 66 VA. L. REV. 427-522 (1980) (w/ Richard Bonnie).

Interdisciplinary Journal Articles (peer-reviewed)

- Psychological Assessment sin Legal Context: Are Courts Keeping “Junk Science” Out of the Courtroom?*
PSYCHOLOGICAL SCIENCE IN THE PUBLIC INTEREST (with T. Neal, M. Saks, K. Geisinger & D. Faigman)
(forthcoming, 2019).
- The Use of Statistics in Criminal Cases*, 37 BEHAVIORAL SCIENCES & THE LAW 1-6 (2019).
- Insights: Is It Time for a Universal DNA Database?*, 362 SCIENCE 898-900 (Iss. 6417, Nov. 23, 2018) (with James Hazel, Ellen Clayton & Brad Malin); *Response*, 363 SCIENCE 939 (Iss. 6430, Mar. 1, 2019).
- Preventive Justice: A Paradigm in Need of Testing*, 36 BEHAVIORAL SCIENCES & THE LAW 394-410 (2018), <https://doi.org/10.1002/bsl.2350>.
- Introduction to the Special Issue on The Characteristics of Insanity and Insanity Evaluations*, 36 BEHAVIORAL SCIENCES & THE LAW 271-275 (2018), doi.org/10.1002/bsl.2342.
- Neuroscience Nuance: Dissecting the Relevance of Neuroscience in Adjudicating Criminal Culpability*, JOURNAL OF LAW & THE BIOSCIENCES (Nov. 11, 2017), doi.org/10.1093/jlb/lxx033 1-17.
- A Neuro-Legal Lingua Franca: Bridging Law and Neuroscience on the Issue of Self-Control*, 5 MENTAL HEALTH LAW & POLICY JOURNAL 1-30 (2016) (with Joshua Buckholtz & Valerie Reyna).
- Eliminating Mental Disability as a Legal Criterion in Deprivation of Liberty Cases: The Impact of the Convention on the Rights of Persons with Disabilities on the Insanity Defense, Civil Commitment, and Competency Law*, 40 INT’L J. L. & PSYCHIATRY 36-42 (2015). Also in 40 L. & PSYCHOL. REV. 297-320 (2016).
- Prevention of Sexual Violence by Those Who Have Been Sexually Violent*, 34 INT’L J. L. & PSYCH. 210-216 (2011).
- A Prevention Model of Juvenile Justice*, 25 SOC’Y RES. COUNCIL SOC. POL’Y REP. 22-23 (2011).
- Competency in the Criminal Context: An Analysis of Robert Schopp’s Views*, 24 BEHAV. SCI. & L. 529-34 (2006).
- Pragmatic Forensic Psychology: A Means of “Scientizing” Testimony from Mental Health Professionals?*, 9 PSYCHOLOGY, PUB. POL. & L. 275-300 (2003) (symposium).
- Directions for Future Research on the Juvenile Justice System*, 25 L. & HUM. BEH. 13-23 (2001) (with J. Woolard & M. Fondacaro) (symposium).
- Three Models of Liberty Deprivation: The Contributions of Therapeutic Jurisprudence and Ecological Jurisprudence*, 18 BEHAV. SCI. & L. 499-516 (2000) (with M. Fondacaro).
- The Admissibility of Behavioral Science Information in Criminal Trials: From Primitivism to Daubert to Voice*, 5 PSYCHOL., PUB. POL. & L. 100-119 (2000) (symposium).
- “Appreciation” as a Measure of Competency: Some Thoughts about the MacArthur Group’s Approach*, 2 PSYCHOL., PUB. POL. & L. 18-30 (1996) (symposium).
- Insanity, Justification, and Culpability: Toward a Unifying Scheme*, 19 L. & HUM. BEH. 447-464 (1995) (w/ N. Finkel).
- Therapeutic Jurisprudence: Five Dilemmas to Ponder*, 1 PSYCH., PUB. POL. & L. 193-219 (1995). *Republished in LAW IN A THERAPEUTIC KEY* (D. Wexler & B. Winick eds., 1996).
- Involuntary Community Treatment of People Who Are Violent and Mentally Ill: A Legal Analysis*, 45 HOSP. & COMM. PSYCHIATRY 685-689 (1994) (symposium). *Republished in VIOLENT BEHAVIOR AND MENTAL ILLNESS* (APA Press: 1997).
- The “Ultimate Issue” Issue*, 7 BEHAV. SCI. & L. 259-266 (1989).
- The Feasibility of a Brief Evaluation of Mental State at the Time of the Offense*, 8 L. & HUM. BEH. 305-320 (1982) (w/ G. Melton & R. Showalter). See also, *Commentary on “The Mental State at the Time of the Offense Measure,”* 28 J. AM. ACAD. PSYCH. & L. 29-32 (2000) (w/ N. Poythress, G. Melton & J. Petrila).

Chapters

- Principles of Risk Assessment in Criminal Cases*, CAMBRIDGE HANDBOOK OF LAW AND ALGORITHMS (Woodrow Barfield, ed.) (forthcoming, 2020)
- Algorithmic Predictive Judgments in the Criminal Justice System*, in BIG DATA LAW (Elgar Publishing, forthcoming, 2019) (with S. Goel, J. Skeem & R. Schroff).
- Limiting Retributivism and Individual Prevention*, in THE ROUTLEDGE HANDBOOK ON THE PHILOSOPHY AND SCIENCE OF PUNISHMENT (Farah Focquaert, ed., in press).
- A Defence of Modern Risk-Based Sentencing*, in PREDICTIVE SENTENCING: NORMATIVE AND EMPIRICAL PERSPECTIVES 107-125 (J. de Keijser et al., eds., 2019) (Hart Publishing).

Legislative Regulation of Government Surveillance, in CAMBRIDGE HANDBOOK OF SURVEILLANCE LAW 597-622 (David Gray & Stephen Henderson, eds., 2017) (Cambridge Univ. Press).

Policing and the Cloud, NAT'L CONST. CTR., A 21ST CENTURY FRAMEWORK FOR ELECTRONIC PRIVACY, constitutioncenter.org/digital-privacy. See also *Policing, Databases and Surveillance: Five Regulatory Categories*, ACADEMY FOR JUSTICE, A REPORT ON SCHOLARSHIP AND CRIMINAL JUSTICE REFORM 207-230 (Erik Luna, ed., 2017); 18 *Crimin., Crim. Just., L. & Soc'y* 70-84 (2017).

Domestic Surveillance of Public Activities and Transactions with Third Parties: Melding European and American Approaches, in *Surveillance*, in PRIVACY AND TRANSATLANTIC RELATIONS 31-45 (Hart Publishing, David Cole, Stephen Schulhofer and Federico Fabbrini, eds., 2017).

A Comparative Perspective on the Exclusionary Rule in Search and Seizure Cases, RESEARCH HANDBOOKS IN COMPARATIVE LAW 280-307 (Elgar Press, Jacqueline Ross & Stephen Thaman, eds., 2016).

Preventive Justice for Juveniles, in APA HANDBOOK OF PSYCHOLOGY AND JUVENILE JUSTICE 45-65 (Kirk Heilbrun, David DeMatteo & Naomi Goldstein, eds.) (American Psychiatric Association, 2015).

Mental Disability and the Death Penalty in AMERICA'S EXPERIMENT WITH CAPITAL PUNISHMENT 335-356 (James Acker, Charles Lanier & Robert Bohm eds.) (Carolina Academic Press, 2014).

Bioprediction in Criminal Cases, BIOPREDICTION, BIOMARKERS AND BAD BEHAVIOR 76-90 (Ilina Singh, Warren Synott-Armstrong & Julian Savulecu, eds.) (Oxford Univ. Press, 2013).

Preventive Detention in the United States and Europe and Preventive Detention and Tradeoffs: A More Optimistic View in PREVENTING DANGER 137-166, 248-253 (Michele Caianello & Michael Corrado, eds.) (Carolina Academic Press, 2013). A similar version of the first chapter, entitled *Preventive Detention in Europe, the United States, and Australia*, is published in PREVENTIVE DETENTION: ASKING THE FUNDAMENTAL QUESTIONS 31-54 (Patrick Keyser ed.) (Intersentia Press, 2013).

Risk Assessment, in OXFORD HANDBOOK ON SENTENCING AND CORRECTIONS 196-214 (Kevin Reitz & Joan Petersilia, eds.) (Oxford Univ. Press, 2012).

Legal Limitations on the Scope of Preventive Detention, "DANGEROUS" PEOPLE: POLICY, PREDICTION AND PRACTICE 37-47 (B. McSherry & P. Keyser, eds.) (Routledge, 2011).

Is the Fourth Amendment Relevant in a Technological Age? in THE FUTURE OF THE CONSTITUTION 11-36 (Jeffrey Rosen & Benjamin Wittes, eds.) (Brookings Institute, 2012) (abbreviated version in THE CONSTITUTION AND THE FUTURE OF CRIMINAL JUSTICE IN AMERICA (John Parry & Song Richardson, eds. 2012) (Cambridge Univ. Press) and 44 DIE VERWALTUNG 464-97 (2011) (German)).

Psychological Syndromes and Criminal Responsibility, 6 ANNUAL REVIEW OF LAW AND SOCIAL SCIENCE 109-127 (John Hagan, et al. eds.) (Annual Reviews, 2010).

Capital Punishment and Dangerousness, in MENTAL DISORDER AND CRIMINAL LAW: RESPONSIBILITY, PUNISHMENT AND COMPETENCE 119-133 (Robert Schopp et al., eds.) (Springer Press, 2009).

Defending Preventive Detention and Reply in CRIMINAL LAW CONVERSATIONS 67-86 and *Abolition of the Insanity Defense and Reply* in CRIMINAL LAW CONVERSATIONS 473-491 (Paul Robinson et. al. eds.) (Oxford University Press, 2009).

Different Visions of Juvenile Justice, in CHILDREN AS VICTIMS, WITNESSES AND OFFENDERS: PSYCHOLOGICAL SCIENCE AND LAW 385-401 (B. Bottoms, C. J. Najdowski & G. Goodman, eds.) (Guilford Press, 2009).

Legal and Ethical Issues in Accessing and Utilizing Third Party Information, in FORENSIC PSYCHOLOGY: EMERGING TOPICS AND EXPANDING ROLES 190-205 (Alan Goldstein, ed.) (Wiley Press, 2006) (with Randy Otto & Stuart Greenberg).

The Story of Rule 410 and United States v. Mezzanatto: Using Plea Statements at Trial, in EVIDENCE STORIES 103-126 (Richard Lempert, ed.) (Foundation Press, 2006).

An Empirically Based Comparison of American and European Police Investigative Techniques, in ADVERSARIAL V. INQUISITORIAL TECHNIQUES: PSYCHOLOGICAL PERSPECTIVES ON CRIMINAL JUSTICE SYSTEMS 27-54 (Peter J. Koppel & Stephen D. Penrod, eds.) (Kluwer Press, 2003).

Psychiatric Evidence in Criminal Trials: A 25-Year Retrospective, in THE EVOLUTION OF MENTAL HEALTH LAW 245-276 (Linda Frost & R. Bonnie, eds.) (APA Press, 2001).

Insanity and Diminished Capacity, in SCIENTIFIC EVIDENCE MANUAL 237-286 (w/ N. Poythress & Kirk Heilbrun) (David Faigman et al., eds.) (Westgroup, 2d ed. 2001).

Dangerousness as a Legal Criterion in the Criminal Process, in LAW, MENTAL HEALTH, AND MENTAL DISORDER 360-383 (B. Sales & D. Shuman eds.) (Brooks/Cole, 1996).

Commentaries (as a Reporter)

Commentary to Suspicionless Searches and Seizures, ALI PRINCIPLES OF POLICING (Draft, 2019).
Commentary to Policing Databases, ALI PRINCIPLES OF POLICING (Draft 2019).
Commentary to ABA Resolution on Mental Disability and the Death Penalty (August, 2007), available at <http://www.ndrn.org/issues/cj/ABA%20Resolution-%20feature%20article305.pdf>.
Commentary to Standards Relating to Technologically-Assisted Physical Surveillance, ABA CRIMINAL JUSTICE STANDARDS 1-96 (ABA Publications, 1999).
Commentary to Part VI, Nonresponsibility for Crime, ABA CRIMINAL JUSTICE MENTAL HEALTH STANDARDS 321-394 (ABA Publications, 1987).

Encyclopedia Entries

Miranda Rights, in OXFORD COMPANION TO AMERICAN POLITICS (2012).
Searches; Seizures; Warrants; Insanity Defense and several mental health law cases, in ENCYCLOPEDIA OF AMERICAN CIVIL LIBERTIES (ACLU, 2007).
Insanity Defense, in OXFORD COMPANION TO AMERICAN LAW (2d. ed., 2005).
Police Procedures, in OXFORD COMPANION TO AMERICAN LAW 614-8 (2002).
Eyewitness Identification, in ENCYCLOPEDIA OF CRIME AND JUSTICE 661-64 (2002).

Professional and Popular Press, Blogs, Online Commentaries, Etc.

Intelligence Gathering: Implications of Subject and Public Perceptions, BLUE LINE: CANADA'S LAW ENFORCEMENT MAGAZINE, Oct. 2018 (with A. Saulnier, J. LaBianca, S. Oleszkiewicz & D. Sivasubramaniam).
Billy Irick Should Not Be Executed (Editorial), THE TENNESSEAN (August 9, 2018).
JOTWELL (JOURNAL OF THINGS WE LIKE LOTS), <http://crim.jotwell.com/>: *How and Why is the American Punishment System "Exceptional"?*: Review of Reitz, ed. *American Exceptionalism in Crime and Punishment; The Causes of Punitiveness* (May, 2018); Review of Forman, *Locking Up Our Own* (June, 2017); *The Definition of Suspicion in an Era of Modern Policing*: Review of Bambauer, *Hassle* (May, 2016); *Democracy as a Cause of and a Solution for Hyper-Incarceration*: Review of Taslitz, *The Criminal Republic* (May 2015); *What Comes After Mass Incarceration?*: Review of Clear & Frost, *The Punishment Imperative* (May, 2014); *How Much Information Can Government Collect to Protect National Security?* Review of Chesterman, *One National Under Surveillance* (April, 2013); *Toward Real Criminal Justice*, Review of Stuntz, *The Collapse of American Criminal Justice* (April, 2012); *Reducing Reductionism*, Review of Dripps, *The Substance-Procedure Relationship in Criminal Law* (April, 2011); *Government Dragnets*: Review of Worf, *The Case for Rational Basis Review of General Suspicionless Searches and Seizures* (May, 2010).
The Admissibility of Neuroscience in Criminal Cases, 11(2) THE SCITECH LAWYER 18-21 (Winter, 2015) (w/ Casey LaDuke & Emily Haney-Caron)
Has the NSA Gone Rogue?, CNN.net (October 30, 2013); *The U.S. Must Act Now in the Face of the NSA Scandal*, CNN.net (August 13, 2013).
Risk Assessment and Risk Management in Juvenile Justice, 27 ABA CRIMINAL JUSTICE MAGAZINE 1-18 (Winter, 2012).
The Future of Mass Dossiers, JURIST (April 11, 2012).
Why Crime Severity Analysis is Not Reasonable, 97 IOWA L. REV. BULL. 1-16 (2012).
An Original Approach to Originalism, 125 HARV. L. REV. FORUM, Iss. 2 (2012).
The Implications of Disentanglement, 111 COLUM. L. REV. SIDEBAR 103-108 (2011)
The Fourth Amendment in 2020, BALKANIZATION (September, 2010).
The Perils of the Fight Against Cognitive Illiberalism, 121 HARV. L. REV. FORUM, Iss. 3 (2009).
The Meaning of Intellectual Privacy, SEE ALSO: ONLINE COMPANION TO TEX. L. REV. (2009).
The Supreme Court's Recent Criminal Mental Health Cases: Rulings of Questionable Competence, 22 ABA CRIMINAL JUSTICE MAGAZINE 8-15 (Oct., 2007).
Transnational Law and Regulation of the Police, 56 J. LEGAL EDUCATION 451-58 (2007).
Florida's Death Penalty System: Is It Fair and Reliable?, ST. PETERSBURG TIMES, Sept. 17, 2006.
The ABA's Standards Governing Technological Surveillance, 18 ABA CRIM. JUST. 5, 19 (2003) (w/ Martin Marcus).
Don't Target Mental Illness in Gun Checks, NEWSDAY, April 11, 2002 (op ed piece).
Who Chooses Insanity? Case Comment on Vermont v. Bean, FORENSIC ECHO (Nov. 2001).

You Can Recover, But You Can't Hide: Mass. v. Plumley, FORENSIC ECHO (June, 1998).
Some Random Observations on the Soviet Union, FLORIDA LAWYER 27-29 (Summer, 1988).
Harris v. State: The Death Penalty and the GBMI Verdict, 12 NEWS. AM. ACAD. PSYCHOLOGY & L. 22-23 (Dec., 1987).

Book Reviews and Review Essays (other than on Jotwell blog)

Review of The Fourth Amendment in Flux: The Roberts Court, Crime Control, and Digital Privacy, by Michael C. Gizzi & R. Craig Curtis, in 16 PERSPECTIVES ON POLITICS 1130-1131 (Dec. 2018).
Does Law Work?: A Review of Lawrence M. Friedman, How Law Affects Behavior, in CRIMINAL LAW AND CRIMINAL JUSTICE BOOKS, <http://clcjbooks.rutgers.edu/> (May, 2017).
Collecting and Using Information to Protect National Security: A Review of Simon Chesterman, One Nation Under Surveillance, 29 INTELLIGENCE & NAT'L SECURITY 136-141 (2014).
What is the Essential Fourth Amendment?: Review of Stephen J. Schulhofer, More Essential Than Ever: The Fourth Amendment in the Twenty-First Century, 91 TEX.L.REV. 403-417 (2012).
American Criminal Justice Exposed: Review of William J. Stuntz, The Collapse of American Criminal Justice, 31 CRIM. J. ETHICS 42-52 (2012).
New Wisdom About Old Crimes: Review of D. Shuman & A. Smith, Justice and the Prosecution of Old Crimes, JURIST, <http://jurist.law.pitt.edu> (March, 2001).
Can Mental Patients Afford Rights?, Review of Bruce Winick, The Right to Refuse Mental Health Treatment, JURIST, <http://jurist.law.pitt.edu> (April, 1998).
Is Justice Just Us? A Review of Justice, Liability and Blame, by Paul Robinson & John Darley, 87 J. CRIM.L. & CRIMINOL. 315-33 (1996).
A New and Improved Version of a Hard to Improve Product: A Review of John Monahan & Laurens Walker, Social Science in Law, 15 LAW & HUM. BEH. 95-98 (1991).
A Rational Approach to Responsibility: A Review of Michael Moore, Law and Psychiatry: Rethinking the Relationship, 83 MICH. L. REV. 820-848 (1985).

PRACTICE AND ADMINISTRATIVE EXPERIENCE

Significant committee work: Vanderbilt: Univ. PTRC, 2010-14 (chair 2012-14); Law School Appointments, 2010-11 (chair), 2011-13; 2015-16 (chair); 2017-18; Univ. Trans-Institutional Grant Review Committee, 2014-18 (co-chair, 2018); Univ. Publication Comm., 2014-17 (chair, 2016-17); Florida: Appointments (chair twice, member 5 times); Faculty Development Committee (sabbatical, salary & summer research grant policies) (chair 3 years); Self-Study Committee (3 times).

Director, Criminal Justice Program, Vanderbilt University Law School, 9/08-present.

Associate Dean for Faculty Development, U. Fla. College of Law, 6/96-8/99 and 1/01-1/03.

Director, Virginia Forensic Evaluation Training & Research Center, 9/80-8/82 (trained forensic evaluators; helped create Virginia's outpatient forensic evaluation system).

Legal Director, Forensic Psychiatry Clinic, 9/79-8/80 (coordinated evaluations).

Director, Western State Hosp. Legal Aid Society, 9/77-8/78 (represented mental patients).

Briefs: *Kahler v. Kansas* (U.S. Sup. Ct. amicus brief for American Bar Association); *Irick v. Tennessee* (U.S. Sup. Ct. amicus brief, 2018); *Carpenter v. United States* (contributor, U.S. Sup. Ct. amicus, 2017); *Roper v. Simmons* (U.S. Sup. Ct. amicus co-author, 2004); *Lionel Tate v. Florida* (Fl. Sup. Ct. co-author, 2003); *Troglan v. Martino* (Fl. Sup. Ct. 1998); *Welker v. University of South Florida* (Fl. Cup. Ct. 1995).

OTHER LAW-RELATED ACTIVITIES AND HONORS

American Association of Law Schools

Chair, Criminal Justice Section, 1999-00.

Chair, Section on Law and Mental Disability, 1988-1990.

Invited Speaker at AALS Conference: 1989, 1996, 2000-2004, 2006-2009, 2012-2014, 2016-2018

Member, Committee on Bar Admission and Lawyer Performance, 6/97-1/01

Planning Committee, Criminal Justice Section Professional Development Conference, 2013.

American Bar Association

Chair, Criminal Justice Mental Health Standards Task Force, 7/12 to 8/16.
Chair, Criminal Justice Section Ad Hoc Law School Outreach Committee, 5/99-8/04.
Chair, Death Penalty Moratorium Implementation Project (Florida), 8/04-9/06.
Expert Panel, Benchbook for Judges on Psychiatric Evidence, 3/97-1/99.
Member, Criminal Justice Section Council, 6/10-6/13.
Member, Task Force on Transaction Surveillance, 5/07-1/10.
Member, Criminal Justice Section Standards Committee, 8/04-8/07.
Member/Chair, Section on Individual Rights and Responsibilities Task Force on Mental Illness and the Death Penalty, 1/04-8/06 (drafted commentary and chaired ad hoc committee).
Reporter, CJS Task Force on Law Enforcement and Technology, 3/95-10/99.
Reporter, CJS Task Force on Non-Responsibility for Crime, 8/83-10/85.

American Law Institute

Associate Reporter, Principles on Policing Project, 1/15-present
Member, 6/86-present.

American Psychology-Law Society

Chair, Legal Scholars' Committee, 8/13-7/18
Lead Reviewer, Mental Health Policy Papers, 8/13-8/15
Member, Book Award Committee, 8/14-7/18

Editorial Boards/Reviewer

Senior Editor, BEHAVIORAL SCIENCES & THE LAW, since 1/17.
Associate Editor, LAW & HUMAN BEHAVIOR, since 9/87.
Board of Advisors, OHIO STATE JOURNAL OF CRIMINAL LAW, since 7/02.
Editorial Board, PSYCHOLOGY, PUBLIC POLICY & LAW, since 3/95.
Editorial Board, INTERNATIONAL JOURNAL OF INTELLIGENCE ETHICS, since 5/08.
Occasional Reviewer, AMERICAN JOURNAL OF PSYCHIATRY, CNS SPECTRUMS, LAW & SOCIAL INQUIRY, JUDICATURE, JURIMETRICS, JOURNAL OF FORENSIC SCIENCE, LAWS, MENTAL HEALTH, LAW & POLICY, Oxford University Press, Cambridge University Press, Routledge Press, etc.

Grants

Participant, and Chair of Privacy Mechanisms subgroup, NIH Grant (\$4 million), Genetic Privacy and Identity in Community Settings, Vanderbilt University.

Other Memberships/Significant Consulting/Grant Activities

Advisory Board, Saks Institute for Mental Health Law, Policy and Ethics, 9/10-present
Advisory Board, SSRN Law & Psychology Journal, 10/06-present
Advisory Board, Encyclopedia of Psychology and Law, 10/06
Associate Director, University of Florida Center for Children & Law, 9/02-9/08.
Consultant/contributor, Key Legal Cases in Forensic Mental Health, American Academy of Forensic Psychology
Consultant, Law & Order, Special Victim's Unit, 5/07-present
Consultant, Hawai'i Department of Mental Health, 10/02-04/03.
Consultant, CEELI, re Draft Law of the Police for the Republic of Montenegro, 3/02.
Consultant, MacArthur Research Network on Juvenile Law (Grant Funded), 6/97-10/97.
Member, Florida Bar Committee on Professionalism, 6/02-6/05
Member, American Law Institute, since 1/93.
Member, MacArthur Steering Committee (Grant-Funded), Reasoning from Group Scientific Data to Individual Legal Decisions, 6/12 – 6/14.
Member, Task Force on Curriculum Revision, National Judicial College, 9/88-2/90.
Member, Virginia Task Force on the Insanity Defense Plea, 8/81-8/82. Drafted VA. CODE §§ 19.2-169.1 et. seq. (1982).

Special Faculty (multi-week, multi-day or multi-hour courses)

American Academy of Forensic Psychology—Advanced courses on criminal mental health law (7 hrs.): annually at various locations since 2001.

American Academy of Judicial Education—Law & Psychiatry (1 wk.): Miami, annually 1978-81.

Forensic Fellow Seminar—Weekly, Univ. Florida, 9/99 - 7/08.

Center for Governmental Responsibility, U.F.—Crim. Env't'l Law (1 wk.): Parana Judicial College, Brazil, 7/97;

Introduction to Law (2 wks.): Warsaw Law School, Poland, 10/01.

Florida Bar Association—CLE: Criminal Procedure/Evidence (3 hrs.): Tampa, 5/93; 5/95; 5/97; Mental Disability Law (5 hrs.): Pensacola, 2/04.

Florida Mental Health Institute, University of South Florida—Forensic training programs for Florida mental health professionals (3 days): various cities in Florida, 1-2 times annually.

Hawaii Dep't of Mental Health—Forensic training (2 days): Honolulu, 11/02; 4/03.

National Judicial College—American Law for Russian Judges (1 wk.): Reno, 4/90; 5/93; 9/93; 3/95; Moscow and Irkutsk, 5/96; Scientific Evidence (1 wk.): Reno, 6/99.

State Department Speaker's Series—Teaching American Criminal Law (3 hrs.): Talca University and U.S. Embassy, Santiago, Chile, 5/00.

Tennessee Forensic Evaluator Renewal Training, 5/09

University of Florida Summer Program—White Collar Crime or Comparative Criminal Procedure (5 weeks): Univ. of Montpellier, France, 7/04; 7/06; 6/08; Comparative Criminal Procedure (9 weeks): Univ. of Frankfurt, Ger., 4/01-6/01.

University of San Diego Institute Int'l & Comp. Law—Comparative Crim. Procedure (5 wks.), Trinity College, Dublin, 7/99; Magdalen College, Oxford, 7/00; Comparative Health Law (5 wks.), U. of Barcelona, 6/04.

Awards/Recognitions (see also p. 1 and distinguished lectures described in Speeches below)

Hall-Hartman Outstanding Professor Award: Hartman Division, 2018-19 (awarded to best small course professor at Vanderbilt University Law School)

Among Most Cited Criminal Law & Procedure Professors, 2013-2017 (No. 3), according to Brian Leiter, available at <http://leiterlawschool.typepad.com/>

Hein Online Top Law Scholars, 2016 (No. 36) (based on number of times cited by articles in the past ten years, number of times cited by cases, and number of times accessed)

Distinguished Contribution Award, American Academy of Forensic Psychology, 2016 (given annually to a person who has made significant contributions to the field of law and psychology; second law professor to win the award).

Distinguished Contribution to Psychology and Law Award, American Psychology-Law Society, 2016 (given to “one who has made distinguished theoretical, empirical, and/or applied contributions to the field of psychology and law”). This award has about 20 recipients in its 35-year existence; other than Justice Harry Blackmun and Virginia law professor Laurens Walker no other lawyer has received this award.

Network Scholar of the MacArthur Neuroscience Network, Steering Committee, Reasoning from Group Scientific Data to Individual to Individual Decisions, 2013-2016

Distinguished Visitor, USC Law School, Feb. 11-15, 2008

Honorary Distinguished Member, American Psychology-Law Society, 2007 (inaugural group)

Provost's Faculty Achievement Recognition Program, 2007 (awarded to 51 Univ. Florida professors for “milestone achievements in the past two years”)

Merck Visiting Scholar, Seton Hall Law School, October 14-18, 2006

STEP Award, 2000-01 (awarded to ten UF law faculty for superior performance).

Professorial Excellence Award, 1998-99 (during 1998 to 2001, awarded annually to from two to four law professors at UF Law School for excellence in scholarship and teaching).

Citations (as of Jan., 2019): in over 5000 articles, treatises and manuals and over 100 cases.

Media (since 1990): over 500 contacts, including ABA Journal (6 times); Al Jazeera (3); Atlanta Constitution (3); Chicago Tribune (4); Christian Science Monitor (3); CBS Radio (2); CourtTV Radio (1), Good Morning America (1); L.A. Times (9); Miami Herald (29); Mother Jones (2); National Law Journal (3); National Public Radio (6); Newsday (3); N.Y. Times (16); Nightline (2); St. Pete Times (47); Tennessean (20); Today Show (2); USA Today (5); Wall St. Journal (9); Washington Post (9).

SPEECHES, WORKSHOPS, ETC. (2015 - 2018 only)

2015:

- Jan. 23: “Snowden, Panvasive Surveillance, and Mosaic Theory,” Symposium on Cybersurveillance: The Implications of Edward Snowden’s Revelations, *Washington & Lee Law School*
- Feb. 13: “Big Data and Big Brother,” presentation to *Vanderbilt Board of Trust*
- Feb. 20: “Plea Bargaining Where It Makes Sense: Why Bargaining Corrupts a Retributive-Adversarial System and Works in a Preventive-Inquisitorial One,” *Wm. & Mary Law School*
- Feb. 21: “How Mosaic Theory Can Be Made to Work,” *Michigan Law School*
- Feb. 25: Moderator, A Conversation with Andre Davis, Fourth Circuit Court of Appeals, *Vanderbilt*
- Mar. 11: “Surveillance in the U.S. and Europe: Proportionality and Political Process,” International Symposium on Freedom of Information and Governmental Transparency in the Open Government Era, *Sorbonne, Paris, France*
- Mar. 13: “Surveillance in the U.S. and Europe: Proportionality and Political Process,” *Int’l Association of Constitutional Law*, Workshop on Surveillance, Privacy, and Transnational Relations in the Digital Age, *Free University of Brussels, Belgium*
- Mar. 19: “Making Neuroscience Relevant to the Law,” *American Psychology Society*, San Diego, Cal.
- Mar. 20: “The ABA’s Mental Health Criminal Justice Standards,” *APLS Conference*
- Mar. 20: “How to Implement the Convention on the Rights of Persons with Disabilities,” *APLS Conference*
- Mar. 21: Discussant, “Social Science Findings Relevant to the Fourth Amendment,” *APLS Conference*
- Mar. 26: “Mental Disability and the Convention on the Rights of Persons with Disabilities,” *2015 Jacobus tenBroek Disability Law Symposium*, Baltimore, Md.
- Apr. 8: “Privacy in a Digital Age,” Osher Lecture, *Vanderbilt*
- Apr. 17: Keynote Luncheon Speech, “A Defense of the Reasonable Expectation of Privacy Test,” *Texas Tech Law School*
- Apr. 23: Podcast: The Fourth Amendment and Police Dog Searches, blog.constitution-center.org/2015/04/podcast-the-fourth-amendment-and-police-dog-searches/ (w/ Jeffrey Rosen & Orin Kerr)
- May 3-4: Commentator on Ouziel, The Law Enforcement (Finding)-Jury, Criminal Justice Roundtable, *Yale Law School*
- May 26-27: Commentator on papers by Brennan-Marquez & Bryan Choi, at “Surveillance in the Cloud” symposium, *NYU Law School*
- June 9: Programmatic Searches and Seizures, Brown Bag, *Vanderbilt Law School*
- July 26-28: “Threat Assessment/Active Shooter Symposium,” *FBI Workshop*, Charlottesville, Va.
- Aug. 6-8: Faculty, State of Florida Training Program for Forensic Mental Health Professionals, *USF*, Tampa
- Sept. 10: Invited Speech, “Privacy in a Digital Age,” Dialogue Series, *Chapman Law School*
- Oct. 14: Workshop, “Plea Bargaining in a Prevention-Oriented Inquisitorial Criminal Justice System, *U. Chicago Law School*
- Oct. 19: Reforming Tennessee’s Sentencing Regime, *Testimony to Tennessee Senate Judiciary Committee*
- Oct. 21: Exempting People with Mental Illness from the Death Penalty, *Written Testimony to the Ohio Senate Judiciary Committee*, Columbus Ohio
- Oct. 23: “Big Data and Big Brother,” *Vanderbilt Alumni Meeting*
- Oct. 24-25: First Reading, Criminal Justice Mental Health Standards, *ABA Criminal Justice Section Council*, Wash., D.C. (presented standards)
- Oct. 30: Criminal Competencies, *American Board of Forensic Psychology*, St. Petersburg, Fl.
- Nov. 6-7: Convenor of conference, and commentator on Jeffrey Bellin, The Silence Penalty, *Vanderbilt Criminal Justice Roundtable*
- Nov. 12: Surveillance in a Digital Age, *Vanderbilt Women’s Club*
- Nov. 19: “What’s Wrong with the Criminal Justice System,” Forensic Interest Group, *Vanderbilt*

2016

- Jan. 8: “Prediction and Sentencing,” panel on Prediction in the Criminal Justice System, *AALS*, N.Y.
- Jan. 28: Endowed Lecture, “Privacy in a Digital Age: Can the Fourth Amendment Survive?,” *St. Thomas Law School*
- Feb. 5: “Ethical Quandaries in Representing Criminal Defendants with Mental Illness,” *G.W. Law School*
- Feb. 9: “Neuroscience and Criminal Law,” Biological Sciences Course, *Vanderbilt*

- Feb. 12: “Why Is There Hyper-Incarceration in the United States?” *Osher Lecture, Vanderbilt*
- Feb. 18: “Policing as Administration,” *Miami Law School* workshop
- Feb. 26: “Mental Disability and the Convention on the Rights of Persons with Disabilities,” *Trinity College, Dublin, Ireland*
- Mar. 4: Keynote Speech, “Privacy in a Digital Age: Can the Fourth Amendment Survive?,” *Elon L.S.*
- Mar. 11: AAFP Distinguished Contribution Award Lecture, “Preventive Justice: An Agenda for Research Psychologists,” at *American-Law Psychology Annual Meeting, Atlanta*
- Mar. 12: APLS Distinguished Contribution Award Lecture, “The ABA’s Criminal Justice Mental Health Standards: Implications for Professionals,” *APLS*
- Mar. 12: Discussant, Social Framework Evidence in Court: Contributions and Controversies from Five Areas of Psycholegal Research, *APLS*
- Mar. 17: Keynote Address, “Ethical Quandaries in Representing Criminal Defendants with Mental Illness: The ABA Criminal Justice Mental Health Standards,” *Hastings Law School*
- Apr. 1: *American Law Institute Principles of Policing Project*, Meeting with Advisory Group and Members’ Consultative Group, Philadelphia
- Apr. 6: Big Data, Surveillance and the Constitution, *Vanderbilt Alumni, Chicago*
- Apr. 13: Big Data, Surveillance and the Constitution, *8th Judicial Circuit, Nashville*
- Apr. 30: Second Reading, Criminal Justice Mental Health Standards, *ABA Criminal Justice Section Council, Albuquerque, N.M.* (presented standards)
- June 3: A Defense of Privacy as the Basis of Fourth Amendment Protection, selected paper, *Privacy Law Scholars Conference, Wash., D.C.*
- June 9: Is Empathy Ethical During a Forensic Evaluation or an Interrogation?, Forensic Interest Group, *Vanderbilt*, with Kimberly Brown
- June 10: Podcast on *Excited Utterance*, discussing The Science of Gatekeeping: Using the Structure of Scientific Inference to Draw the Line Between Admissibility and Weight in Expert Testimony.
- Aug. 18-20: Florida Forensic Training Program, *Univ. South Florida, Tampa*
- Sept. 6: “Policing as Administration,” *Indiana University Law School* workshop, Bloomington
- Sept. 29-30: “Still Two (or Maybe Three) Burning Issues,” at *Miranda Fifty Years Later, B.U. Law School*
- Oct. 7: Neuroscience and Criminal Law, Grand Rounds, *Vanderbilt Medical School*
- Oct. 13: Criminal Competencies, *American Board of Forensic Psychology, Atlanta*
- Oct. 24: Policing and Surveillance, *Delta Tau, Vanderbilt*
- Nov. 3: Neuroscience and Criminal Law, *Vanderbilt Neuroscience Society*
- Nov. 11-12: Convenor and Commentator, Criminal Justice Roundtable, *Vanderbilt Law School*
- Dec. 6: “Legal Arguments for a Mental Illness Exemption to the Death Penalty,” *ABA Summit on Severe Mental Illness and the Death Penalty, Wash., D.C.*
- Dec. 7-8: *American Law Institute, Advisory Committee Comments on Principles of Policing, Philadelphia*

2017

- Jan. 17: “Laws Regarding Genomic Privacy,” with James Hazel, GetPrecise Mini-Retreat, *Vanderbilt*
- Jan. 30: “Your Rights and the Police,” Black Graduate and Professional Students, *Vanderbilt*
- Feb. 11: “Police Use of Surveillance Technology,” Bridging the Gap: A Conference on Scholarship and Criminal Justice Reform, *Arizona State Law School, Phoenix* (also commented on 3 papers)
- Mar. 8: Testimony in front of *Tennessee Senate Judiciary Committee* on Senate Bill 378, exempting offenders with severe mental illness from the death penalty
- Mar. 15: “The American Bar Association’s Criminal Justice Mental Health Standards: Improving the System,” 4-hour workshop, *American Psychology-Law Society Annual Meeting, Seattle*
- Mar. 17: Discussant, “Intelligence Gathering: Implications of Subject and Public Perceptions,” *APLS*
- Mar. 31: “The Trump Administration and Criminal Justice,” *Vanderbilt Law School Board of Governors*
- April 11: “When the Police Can (and Can’t) Get Your DNA, GetPrecise Retreat, *Vanderbilt*
- Apr. 21: “What Criminal Justice Needs from Neuroscience and Why It Is (Usually) Unlikely to Get It,” Law and the Biosciences Conference, *Stanford Law School*
- May 4: Panel, “Violence Prevention and Mental Illness,” *Vanderbilt Dep’t Psychiatry Conte Center*
- May 10: “Policing and the Cloud,” podcast, *National Constitution Center, Philadelphia*
- May 17: Keynote Address, “Policing and the Cloud,” *European Privacy Law Scholars’ Conference,*

- Tilburg, Netherlands
- May 24: “Policing, Databases and Surveillance: Five Regulatory Categories,” *Oxford University Criminal Law Discussion Group*
- May 30: Keynote Address, “Using Big Data for Predictive Policing and Sentencing,” Annual Conference, *European Association of Psychology & Law*, Mechelen, Belgium
- May 31: Workshop, “Policing, Databases and Surveillance: Five Regulatory Categories,” *University of Vienna*
- June 8: Workshop, “Using Big Data for Predictive Policing and Sentencing,” Centre for Criminology, *Oxford University*
- July 11: “Big Data and Big Surveillance: The Carpenter Case,” Convocation of Fourth Amendment Scholars, *Stanford Law School*
- Aug. 3: “Policing as Administration,” *SEALS Conference*, Boca Raton
- Aug. 8: “Policing and the Cloud: Five Regulatory Categories,” *Vanderbilt Law School* brown bag
- Aug. 17-19: Florida Forensic Training Program, *USF*, Tampa
- Aug. 24: “Policing and the Cloud: Five Regulatory Categories,” *U. Birmingham Law School*, U.K.
- Sept. 11: Testimony to *Tennessee Senate Judiciary Committee*, Senate Bill 378 (exempting people with serious mental illness from the death penalty)
- Sept. 14: Commentator on Megan Stevenson’s paper, Assessing Risk Assessment, and four other papers, *George Mason Law School*
- Sept. 29: “Risk Assessment Principles in Sentencing and Policing,” *Ohio State Law School* symposium
- Oct. 18: “Risk Assessment Principles in Sentencing,” *Utah Law School* workshop
- Nov. 2: “Criminal Competencies,” *AAFP workshop*, Las Vegas
- Nov. 8-9: Defense of “Suspicionless Searches & Seizures” and “Databases” chapters in *ALI’s Policing Project*, at Advisory Committee and Members’ Consultative Group meeting, Philadelphia
- Nov. 16: “Criminal Mental Health Law in a Nutshell,” *CLE* for Nashville attorneys, *Vanderbilt*
- Nov. 17: Criminal Justice Roundtable, convenor and commentator on Morgan Cloud, Property is Privacy: Locke and Brandeis in the Twenty-First Century, and five other papers, *Vanderbilt*

2018

- Jan. 6: “Problems with the Kids-are-Different Framing of the Court’s Juvenile Cases,” on “Juveniles, Incarceration and the Constitution: A Conversation” panel, *AALS Annual Meeting*, San Diego
- Feb. 3: “Principles of Risk Assessment,” *University of Virginia Law School*, Shaping Justice conference
- Feb. 9: “Medication and Incompetence to Proceed,” *Texas A & M Law School*
- Feb. 15: Faculty Insights Panel, Demystifying the PTRC and the Tenure Process, *Vanderbilt*
- Feb. 15: “Principles of Risk Assessment,” Forensic Interest Group, *Vanderbilt*
- Feb. 22: Workshop, “A Defense of Risk-Based Sentencing,” *University of Washington Law School*, Seattle
- March 6: Testimony in front of *Tennessee Senate Judiciary Committee* re SB 278
- March 10: Moderator and Organizer, Legal Scholars Panel, *American Psychology-Law Society*, Memphis
- March 10: Discussant, “Special Session on Statistics and Law,” *APLS*
- March 30: “Big Data and Criminal Justice,” Data Science Visions Symposium, *Vanderbilt*
- April 4: Criminal Competencies, *American Board of Forensic Psychology*, New Orleans
- April 6: Moderator and Organizer, Big Data and Criminal Justice: Equity and Fairness, Plenary Panel, *Vanderbilt*
- April 13-14: “A Defense of Risk-Based Sentencing,” Conference on Risk-Based Sentencing, *Oxford University*
- April 20: “Big Data, Algorithms and Artificial Intelligence,” AI Conference, Law & Innovation Program, *Vanderbilt*
- April 23: Workshop, “Social Science and the Fourth Amendment,” *University of Virginia Law School*
- May 14: Address, “People with Mental Disability and the Criminal Justice System,” *Drexel University/Criminal Justice System Actors*, Philadelphia
- May 30: “Policing and the Cloud: Five Regulatory Categories,” *Privacy Law Scholars’ Conference*, Wash., D.C.
- July 10: “A Defense of Risk-Based Sentencing,” *Vanderbilt Law School* brown bag
- July 16: Workshop, “A Defense of Risk-Based Sentencing,” Crimfest, *Cardozo Law School*
- July 25: Panelist, “Too Ill to Execute: A Conversation about Severe Mental Illness and the Death Penalty”

- Town Hall, Brentwood, Tn.*
- Aug. 16-18: Florida Forensic Training Program, *USF, Tampa*
- Sept. 5: Workshop, "Policing in a Technological Age," *Univ. Georgia Law School*
- Sept. 17: Interlocutor, Conversation with Judge Jeffrey Meyer, U.S. District Ct. judge, Conn., *Vanderbilt*
- Oct. 9: Crime and Punishment: Panel on Mass Incarceration, *Vanderbilt*
- Oct. 11: Workshop, "Policing in a Technological Age," *Univ. Florida Law School*
- Oct. 11: Keynote, "DNA and Privacy," *Univ. Florida Law School*
- Oct. 18-19: *American Law Institute Council, Principles of Policing: Suspicionless Searches and Seizures, New York City*
- Oct. 23: "Risk-Based Sentencing," Judicial Conference, *George Mason Law School*
- Oct. 26-27: Criminal Justice Roundtable, convenor and commentator on Deborah Denno, "How Courts Respond to Childhood Trauma in Criminal Cases" *Vanderbilt*
- Oct. 29: Panelist, "Supreme Court Preview," *Vanderbilt*
- Nov. 17: "Big Data Secrecy in Sentencing," *NYU Law School*
- Nov. 29: "The ABA's Criminal Justice Mental Health Standards," *ABA Webinar*
- Dec. 12-14: "Big Data and the Government: Implications for Individuals and Businesses," 9th Emerging Markets Finance Conference, *Mumbai, India*

2019

- Jan. 17: Principles on Searches and Seizures in the Absence of Suspicion, *ALI Council, Philadelphia*
- Jan. 18: Roundtable on Psychological Tests and the Courts, *Arizona State University Law School*
- Feb. 22: The Government and Data Privacy Law, JETLaw Symposium, *Vanderbilt Law School*
- Feb. 24: Moderator and Panelist, The Death Penalty in Tennessee, *Vanderbilt Divinity School*
- Mar. 1-2: Panelist & commentator, Criminal Justice Roundtable on Policing, *South Carolina Law School*
- Mar. 15: "Algorithmic Risk Assessments and the Double-Edged Sword of Youth, *American-Psychology Law Conference, Portland*
- Mar. 16: Discussant, Panel on Policing and Mental Illness, *APLS*
- Mar. 16: Discussant, Panel on Police Surveillance Techniques, *APLS*
- Mar. 29-30: Arnold Loewy and Dangerousness, Disability and DNA, Criminal Justice Symposium, *Texas Tech Law School*
- Apr. 4: Principles on Policing Databases, *ALI Principles of Policing Advisory Committee, Philadelphia*
- Apr. 9: "The Death Penalty in Operation," *Belle Meade Country Club, Nashville*
- Apr. 12-13: "Specialized Federal Criminal Courts," Symposium on Federal Court Reform, *Berkeley Law School*
- April 20: Fourth Annual Roundtable on AI and Law/Ethics/Policy, *Vanderbilt Law School*
- May 9: Constitutional Mental Health Law, *Annual Tennessee Forensic Mental Health Meeting*,
- May 17: Participant, "Consuming Genetics: The Ethical and Legal Considerations of Consumer Genetic Technologies," Peterie-Flom Center for Health Law Policy, Biotechnology & Bioethics, *Harvard University*
- May 22: "The Legality of Deception During Interrogation," *Bielefeld University, Germany*
- May 29: The Competency Restoration Process, *ABA Criminal Justice Forensic Sciences Meeting, N.Y.*