

Jenny E. Carroll

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ACADEMIC APPOINTMENTS

Yale Law School, New Haven, Connecticut

Visiting Professor of Law, Fall, 2021- Fall, 2022.

Director, Liman Center, Fall, 2021- Spring, 2022, Direct the Liman Public Interest Law Center, supervise Liman Fellows and teach special topics in criminal law and criminal procedure.

University of Alabama School of Law, Tuscaloosa, Alabama

Wiggins, Child, Quinn, and Pantazis Professor of Law: Teach Criminal Law, Criminal Procedure, Juvenile Justice, Counterterrorism, Rethinking Criminal Law Seminar. 2017–present.
Professor of Law: 2016–2017.

Associate Professor of Law: 2014–2016.

Presidential Research Award, 2018.

Australia National University, Canberra Australia

Visiting Scholar: Taught Comparative Counterterrorism. Summer 2017.

Seton Hall University School of Law, Newark, New Jersey

Associate Professor of Law: Taught Criminal Law, Criminal Procedure, Evidence, and Juvenile Justice. 2010–2014.

University of Cincinnati College of Law, Cincinnati, Ohio

Visiting Assistant Professor of Law: Taught Criminal Law, Criminal Procedure, Evidence, White Collar Crime, and Mental Health & Criminal Law. 2008–2010.

University of Cincinnati College of Law, Cincinnati, Ohio

Assistant Professor of Clinical Law; Academic Director of the Ohio Innocence Project/Rosenthal Institute for Justice: Designed and taught course on criminal post-conviction law and procedure, investigation and direct client representation; co-taught Criminal Defense Investigation and Trial Practice for the Indigent Defense Clinic. 2005–2008.

Georgetown University Law Center, Washington, D.C.

Prettyman Fellow, Criminal Justice Clinic: Co-taught clinical course for third-year law students and represented indigent defendants on misdemeanor and felony matters in the Superior Court of the District of Columbia. 1998–2000.

PUBLICATIONS

Speech, Space, Crime, and the Jury, 133 YALE L. J. ____ (forthcoming 2023).

Adolescent Brain Development and Mens Rea, in NEUROSCIENCE AND YOUTH JUSTICE. (forthcoming Routledge 2023)(invited submission)

The Ever Shifting Ground of Bail Reform, ANNUAL REVIEW OF LAW AND SOCIAL SCIENCE (forthcoming 2023)(invited submission)

Law Review and Finding a Place in the Academy, 100 TEX. L. REV. ONLINE 60 (2021) (invited submission)

COVID-19 Relief and the Ordinary Inmate, 18 OHIO ST. J. CRIM. L. 427 (2021) (invited submission)

If Only I had Known: The Challenges of Representation, 89 FORDHAM L. REV. 2447 (2021) (invited submission)

Beyond Bail, 73 FLA. L. REV. 143 (2021)

- *Featured in THE CHAMPION “Getting Scholarship into Courts”*

Safety, Crisis and Criminal Law, 51 ARIZ. ST. L.J. 505 (2020) (invited submission)

Pretrial Detention in the Time of COVID-19, 115 NW. U. L. REV. ONLINE 59 (2020)

The Due Process of Bail, 54 WAKE FOREST L. REV. 101 (2020) (invited submission)

What’s in a Number? Jury Function and Number in PAINTING CONSTITUTIONAL LAW: XAVIER CORTADA’S IMAGES OF CONSTITUTIONAL LAW (2020) (invited submission)

Graffiti, Crime and Free Speech, 103 MINN. L. REV. 1285 (2019)

The Problem with Inference for Juvenile Defendants, 45 FLA. ST. U. L. REV. 1 (2018)

Bathroom Laws as Status Crimes (with Stephen Rushin), 86 FORDHAM L. REV. 1 (2017)

Afterword: Death and the State in FINAL JUDGMENTS: THE DEATH PENALTY AND AMERICAN LAW (Austin Sarat, ed., Cambridge University Press, 2017)

Brain Science and the Theory of Juvenile Mens Rea, 94 N.C. L. REV. 539 (2016)

- *Featured in THE CHAMPION “Getting Scholarship into Courts”*
- *Included in the National Juvenile Defender Conference’s Resource Guide for 2015–2016*

The Jury as Democracy, 66 ALA. L. REV. 825 (2015)

Nullification as Law, 102 GEO. L.J. 579 (2014)

The Resistance Defense, 64 ALA. L. REV. 589 (2013)

The Jury's Second Coming, 100 GEO. L.J. 657 (2012)

Rethinking the Constitutional Criminal Procedure of Juvenile Transfer Hearings: Apprendi, Adult Punishment, and Adult Process, 61 HASTINGS L.J. 175 (2009)

- Featured in THE CHAMPION “Getting Scholarship into Courts”
- Included in the National Juvenile Defender Conference’s Resource Guide for 2009–2010

Images of Women and Capital Sentencing Among Female Offenders: Exploring the Outer Limits of the Eighth Amendment and Articulated Theories of Justice, 75 TEX. L. REV. 1413 (1997)

WORKS IN PROGRESS

The Defendant’s Narrative

Who Does Procedure Protect?

AMICUS CURIAE BRIEFS

National Association of Criminal Defense Lawyers (NACDL) Amicus Brief, *Bryant v. United States* (Eleventh Circuit, 2020)

National Association of Criminal Defense Lawyers (NACDL) Amicus Brief, *United States v. Roberson* (Eleventh Circuit, 2019)

National Association of Criminal Defense Lawyers (NACDL) Amicus Brief, *Bane v. United States* (Eleventh Circuit, 2018)

National Association of Criminal Defense Lawyers (NACDL) Amicus Brief, *Ayala v. State* (Florida Supreme Court, 2017)

National Association of Criminal Defense Lawyers (NACDL) Amicus Brief, *State v. Kelly Mathis* (Eleventh Circuit, 2015)

National Association of Criminal Defense Lawyers (NACDL) Amicus Brief, *U.S. v. Keith Cooper* (Third Circuit, 2013)

NACDL Amicus Brief, *United States v. Andrew “Weev” Auernheimer* (Third Circuit, 2013)

NACDL Amicus Brief, *United States v. Richard Caraballo-Rodriguez* (Third Circuit, 2013)

NACDL Amicus Brief, *United States v. Harry Katzin* (Third Circuit, 2012)

NACDL Amicus Brief, *United States v. Keenan Quinn* (Third Circuit, 2012)

Law Professors' Amicus Brief, U.S. v. Charles Lynch (Ninth Circuit, 2012)

Law Professors' Amicus Brief, U.S. v. Salim Ahmed Hamdan (D.C. Circuit, 2011)

MEDIA

Media appearances include WGN Chicago, NBC News, ESPN, BBC World News, Hollywood.com, Fox News, WMBC TV, WNBC TV, NPR, WNBC Radio, WHY-FM Radio, *Associated Press*, *Boston Globe*, *New York Times*, *Washington Post*, *AL.com*, *Birmingham News*, *Star Ledger*, *The Record*, *Asbury Park Press*, *Orlando Sentinel*, *the Guardian* and the *New Jersey Law Journal*

CNN Criminal Law Advisor, 2011-2014

ACTIVITIES

Member, Board of Advisors, U.S. Election Assistance Commission, Nov. 2021-present

Chair, Alabama State Advisory Committee to the U.S. Commission on Civil Rights (Federal Appointment), June 2017–2021

- Lead Author, *Barriers to Voting in Alabama*, 2020, available at: <https://www.usccr.gov/files/2020-07-02-Barriers-to-Voting-in-Alabama.pdf>
- Current Lead Investigator and Author, *COVID-19 and Carceral Systems in Alabama* (forthcoming report)
- Current Lead Investigator and Author, *The Impact of the Criminal Legal System on Marginal Populations in Alabama* (forthcoming report)

American Association of Law Schools, Criminal Law Section, Outgoing Chair, 2021–2022, Chair, 2020–2021, Chair Elect 2019–2020, Secretary 2018–2019, Executive Committee Member, 2017–present.

Alabama Uniform Pretrial Release and Detention Act Committee, Appointed Member, 2020–present.

Alabama Municipal Criminal Records Policy Committee, Appointed Member, 2020–present.

Guest Editor (with Aya Gruber), *Criminalizing Rape in an Era of #MeToo*, 17 OHIO ST. J. CRIM. L. (2020).

Faculty Advisor to the ALABAMA LAW REVIEW, 2018–present

Member of Juvenile Detention Alternative Initiative, Alabama, 2015–present

Co-Founder, Transnational Justice Project, Seton Hall University, 2010–2014

Authorized Observer to Guantanamo Military Commissions, 2010–present

National Association of Criminal Defense Lawyers (NACDL) Amicus Vice-Chair, Eleventh Circuit, 2014–present

NACDL Amicus Vice-Chair, Third Circuit, 2010–2014

NACDL Pretrial Justice Task Force, Member, 2011–2014

Advisor to the New York City Department of Education regarding restorative justice projects in public schools, 2013- 2015

EDUCATION

Georgetown University, Washington, D.C. LL.M. in Advocacy, 2005.

The University of Texas School of Law, Austin, Texas. J.D. with Honors, 1997.
Order of the Coif; TEXAS LAW REVIEW, Symposium Editor; TEXAS JOURNAL OF WOMEN AND THE LAW, Community Service Organizer; Thad Hutchinson Moot Court, Quarter-Finalist; Dean’s Achievement Award, Highest Grade in Criminal Law; Endowed Presidential Scholarships; Texas Law Fellowships, Director; Women’s Law Caucus, Director

Duke University, Durham, North Carolina. A.B., *Summa Cum Laude* with Highest Distinction in Political Science and Women’s Studies, 1993.

Dean’s Award for Best Undergraduate Thesis; William Griffith Award for Community Service; Margaret Rose Knight Sanford Scholar; Anne Flexner Award for Creative Writing; John Hope Franklin Award and Julia Harper Day Awards for Documentary Studies; Co-Editor, DISTAFF MAGAZINE

LAW PRACTICE EXPERIENCE

The Defender Association, Seattle, Washington

Juvenile and Felony Staff Attorney: Represented indigent defendants in criminal and mental health matters in adult and juvenile court. 2000–2004.

Georgetown University Law Center, Washington, D.C.

Prettyman Fellow, Criminal Justice Clinic: (See “Academic Appointments,” above). 1998–2000.

Hon. William Wayne Justice, U.S. District Court, Eastern District of Texas, Tyler, Texas, and U.S. District Court, Western District of Texas, Austin, Texas

Judicial Clerk: 1997–1998.

Bredhoff & Kaiser, Washington, D.C.

Law Clerk: Summer 1997.

Allison, Yeager, and Bassett, Austin, Texas

Law Clerk: January 1997–May 1997.

Skadden, Arps, Slate, Meagher & Flom, Washington, D.C.

Summer Associate: Summer 1996

Texas Rural Legal Aid, Edinburg, Texas

Law Student Associate: Researched remedying systemic violation of criminally accused indigents' civil rights through § 1983 litigation, including a class action suit to insure timely appointment of counsel in border counties in Texas; assisted in litigation involving civil rights, housing, consumer protection, public benefits, family law, and employment matters. 1995–1996.

Project Esperanza, Raleigh, North Carolina

Board Member: Appointed by Governor Hunt to board to secure funding for and establish North Carolina's first domestic violence support services for migrant and rural women. 1992–1994.

Farmworker's Legal Services, Newton Grove, North Carolina

Farmworker Educator and Intern: Performed outreach to migrant labor camps throughout Eastern North Carolina to provide information about immigration issues, worker's rights and other legal matters; served as legal intern to attorneys in the Newton Grove and Raleigh offices. Summer 1992.

SELECTED PRESENTATIONS

Considering Decision Making in Criminal Legal Systems, Law and Society, 2022

Moderator and Panelist, Community Organizing and Social Activism, Yale Law School, 2022

Moderator, *Deaths in Custody*, Yale Law School, 2021

Presented *Pretrial Detention in the Time of COVID-19*, Criminal Law Summer Series, Center for Science and Justice at Duke Law, 2020

Presented *Pretrial Detention in the Time of COVID-19*, Arizona State, Sandra Day O'Connor School of Law, Justice Forum, 2020

Presented, *Crime Stories: The Defendant's Narrative*, Decarceral Professors Group, 2020

Presented, *Safety, Crisis and Criminal Law*, Southeastern Association of Law Schools, 2020

Invited Speaker, Poverty Law Conference, Boalt Hall, University of California at Berkeley School of Law, 2020

Invited Speaker, Bail Reform Symposium, Wake Forest University, School of Law, 2020

Panelist and Moderator, AALS, 2020

Panelist, CrimFest, 2019

Invited to Testify, House Committee on Administration, Hon. Marcia Fudge, Chair, 2020

Invited Speaker, Freedom of Expression Scholars Conference, Yale University, 2020

Invited Speaker, Bio LawLaPaLooza, Stanford University School of Law, 2019

Panelist and Moderator, AALS, 2019

Invited Speaker, *Crime and the First Amendment*, Louis D. Brandeis School of Law, University of Louisville, 2018

Invited Speaker, Freedom of Expression Scholars Conference, Yale University, 2018

Invited Speaker, Université Paris-Sorbonne, 2018

Panelist, Law and Society, 2018

Invited Speaker, Alabama Federal Public Defender's Association, 2017, 2018

Invited Speaker, Alabama Juvenile Defender's Association, 2016, 2017, 2018

Participant, First Southeast Criminal Law Scholars Working Group, 2018

Panelist, CrimFest, 2017

Speaker, Free Speech Forum, Charles Pazmany University, Budapest, Hungary, 2017.

Invited Speaker, Bio LawLaPaLooza, Stanford University School of Law, 2017

Invited Speaker, Alabama Public Defender's Conference, 2016

Panelist, Moderator, and Discussion Group Organizer, Southeastern Association of Law Schools, 2016

Speaker, CrimFest, 2016

Invited Presenter, Southern Regional Juvenile Defender's Conference, 2016

Invited Speaker, Université Paris – Dauphine, 2016

Invited Speaker, Université Paris-Sorbonne, 2016

Invited Speaker, Richmond College of Law, 2016

Invited Speaker, Tuscaloosa Bar Association, 2014-2016

Invited Speaker, Louis D. Brandeis School of Law, University of Louisville, 2015

Invited Speaker, National Juvenile Defender's Conference, 2015

Panelist, Law and Society Annual Conference, 2015

Panelist, Law and Society Annual Conference, 2013

Panelist, Albany New Teacher's Conference, Albany Law School, 2013

Invited Speaker, Touro Law Center, Faculty Colloquium, 2013

Invited Speaker, The Georgetown University Law Center Advanced Constitutional Law Series, 2012

Participant, Ohio Legal Scholars Workshop, 2009, 2010

"The Jury's Second Coming," University of Dayton School of Law, Faculty Workshop, 2010

Invited Speaker, ABA Juvenile Defender Leadership Summit, 2009

Invited Instructor, Indiana Juvenile Defender Training Summit, 2004–2009

Invited Instructor, Indiana Juvenile Defender Continuing Legal Education Summit, 2009

Invited Instructor, Children's Law Center Defender Training Conference, 2007

Invited Instructor, Ohio Public Defender Training Conference, 2005–2006

Invited Participant, Voices for Children Panel on Juvenile Law Reform in Ohio, 2006

Invited Participant, Ohio Panel on Discovery Reform, 2006

Invited Speaker, ABA Juvenile Defender Leadership Summit, 2002

Invited Participant in Washington (2003) and Texas (2000) assessment studies of Public and Appointed Defender Systems

BAR ADMISSIONS

District of Columbia; Ohio; Texas; Washington (all inactive).