

KIMBERLY KESSLER FERZAN

Earle Hepburn Professor of Law
University of Pennsylvania Carey Law School
3501 Sansom Street
Philadelphia, PA 19104
kferzan@law.upenn.edu
215-573-6492

ACADEMIC POSITIONS

- 2020-present **UNIVERSITY OF PENNSYLVANIA CAREY LAW SCHOOL, Philadelphia, PA**
Earle Hepburn Professor of Law (2020-present)
Co-Director, Institute for Law and Philosophy (2020-present)
Professor of Philosophy (by courtesy), School of Arts and Sciences (2021-present)
Visiting Professor of Law (spring 2011)
Significant Committee Service: Appointments Committee (2021-present)
- 2014-2020 **UNIVERSITY OF VIRGINIA SCHOOL OF LAW, Charlottesville, VA**
Harrison Robertson Professor of Law (2015-2020)
Joel B. Piassick Research Professor of Law (research chair, 2018-2020)
Caddell and Chapman Professor of Law (research chair, 2014-2017)
Professor of Law (2014-2015)
Affiliated Faculty, Philosophy Department (2014-2020)
Visiting Professor of Law (fall 2013)
Significant Committee Service:
Dean's Search Committee (2015-2016)
Faculty Workshop Committee (2016-2017)(Chair)
External Appointments Committee Member, Philosophy Department (2018-2019)
Teaching Honors:
Selected as Graduation Hooder (classes of 2017 and 2018); Commencement Marshal (class of 2020)
- 2000-2014 **RUTGERS UNIVERSITY, SCHOOL OF LAW, Camden, NJ**
Distinguished Professor of Law (2013-2014)
Associate Graduate Faculty, Rutgers-New Brunswick, Department of Philosophy (2008-2014)
Co-Founder and Co-Director, Rutgers-Camden Institute for Law and Philosophy
Associate Dean for Academic Affairs (2008-2011)
Professor of Law (2006-2013)(tenured 2006)
Associate Professor of Law (2003-2006)
Assistant Professor of Law (2000-2003)
Significant Committee Service:
Appointments (2008-2010 *ex officio*); (2006-2007) (Chair)
Educational Policy (2008-2011)(Chair)
Merit Pay (2007, 2008)(2009, 2010 *ex officio*)
ABA Self-Study (2005-2007)
Teaching Honors:
Chancellor's Award for Teaching Excellence (2010)
Professor of the Year (2004) and (2010)
Selected as Graduation Hooder (2004), (2005), (2007)
Women's Law Caucus Faculty Appreciation Award (2007)
- August 2019 **AUSTRALIA NATIONAL UNIVERSITY, Canberra, Australia**
Academic Visitor, School of Philosophy
- November 2017 **LONDON SCHOOL OF ECONOMICS, London, England**
Visiting Professor of Law

- January 2016 **HARVARD LAW SCHOOL, Cambridge, MA**
Visiting Professor of Law
- January 2014-
March 2014 **UNIVERSITY OF CHICAGO LAW SCHOOL, Chicago, IL**
Visiting Professor of Law & Charles J. Merriam Scholar
- September 2011-
May 2012 **NEW YORK UNIVERSITY SCHOOL OF LAW, New York, NY**
CENTER ON THE ADMINISTRATION OF CRIMINAL LAW
Scholar in Residence
- August 2007 **UNIVERSITY OF ILLINOIS, COLLEGE OF LAW, Champaign-Urbana, IL**
Visiting Professor of Law

EDUCATION

- J.D. 1995 **UNIVERSITY OF PENNSYLVANIA LAW SCHOOL, Philadelphia, PA**
Graduated *cum laude*
Order of the Coif
Editor, *University of Pennsylvania Law Review*
Legal Research and Writing Instructor
Lynn Lukins Moore Award in Jurisprudence (for the most outstanding paper or comment in legal theory)
- B.A. 1991 **UNIVERSITY OF NORTH CAROLINA - CHAPEL HILL, Chapel Hill, NC**
Graduated with distinction
Phi Beta Kappa

FELLOWSHIPS, PRIZES, AND AWARDS

- November 2019 **UNIVERSITY OF WARWICK, INSTITUTE FOR ADVANCED STUDIES**
International Visiting Fellow
- March 2013 **BERGER MEMORIAL PRIZE IN THE PHILOSOPHY OF LAW**
American Philosophical Association
“Beyond Crime and Commitment”
- September 2012-
July 2013 **PRINCETON UNIVERSITY, Princeton, NJ**
UNIVERSITY CENTER FOR HUMAN VALUES
Laurance S. Rockefeller Visiting Faculty Fellowship
- September 2012 **SECOND ANNUAL DEAN’S AWARD FOR SCHOLARLY EXCELLENCE**
RUTGERS-CAMDEN LAW SCHOOL
- May 2006 **STANFORD/YALE JUNIOR FACULTY FORUM**
Paper selected in field of Criminal Law, “Beyond Intention”

PUBLICATIONS

Books

Authored

Reflections on Crime and Culpability: Problems and Puzzles (Cambridge University Press 2018)(co-authored with Larry Alexander)

Crime and Culpability: A Theory of Criminal Law (Cambridge University Press 2009)(co-authored with Larry Alexander and Stephen Morse)

Reviews and Symposium: Symposium issue of Law and Philosophy; Reviews in University of Chicago Law Review, Criminal Justice Ethics, Ethics, Modern Law Review, Analysis, jotwell.com. Book note in Harvard Law Review.

Edited

Palgrave Handbook of Applied Ethics and the Criminal Law (Palgrave MacMillan 2019) (co-edited with Larry Alexander)

Legal, Moral, and Metaphysical Truths: The Philosophy of Michael S. Moore (Oxford University Press 2016) (co-edited with Stephen Morse)

Criminal Law Conversations (Oxford University Press 2009) (co-edited with Paul Robinson & Stephen Garvey)

Book Chapters

#BelieveWomen and the Presumption of Innocence: Clarifying Questions in Law and Life in NOMOS LXIV: Truth and Evidence (Melissa Schwartzberg and Philip Kitcher, eds., NYU Press 2021)

Losing the Right to Assert You've Been Wronged in *Civil Wrongs and Justice in Private Law* (Paul Miller and John Oberdiek, eds., Oxford University Press, 2020)

Stand Your Ground in *Palgrave Handbook of Applied Ethics and the Criminal Law* (Larry Alexander and Kimberly Kessler Ferzan, eds., Palgrave, 2019)

The Means Principle and Optimific Wrongs in *Moral Puzzles and Legal Perplexities: Essays on the Influence of Larry Alexander* (Heidi M. Hurd, ed., Cambridge University Press 2018)

Acts, Omissions, and the Duty to Rescue in *The Ethics and Law of Omissions* (Dana Nelkin and Samuel Rickless, eds., Oxford University Press 2017)

Self-Defense: Tell Me Moore in *Legal, Moral, and Metaphysical Truths: The Philosophy of Michael Moore* (Kimberly Kessler Ferzan and Stephen J. Morse eds., Oxford University Press 2016)

Self-Defense and Forfeiture in *The Ethics of Self-Defense* (Michael Weber and Christian Coons, eds., Oxford University Press 2016)

Confused Culpability, Contrived Causation, and the Collapse of Tort Theory (with Larry Alexander) in *Philosophical Foundations of Tort Law* (John Oberdiek, ed., Oxford University Press 2014)

Homicide in *International Encyclopedia of Ethics* (Hugh LaFollette, ed., Wiley Blackwell 2013)

Fletcher on the Fault of Not Knowing (with Larry Alexander) in *George Fletcher's Essays on Criminal Law* (Russell Christopher, ed., Oxford University Press 2012)

Risk and Inchoate Crimes: Retribution or Prevention? (with Larry Alexander) in *Seeking Security: Pre-empting the Commission of Criminal Harms* (G.R. Sullivan, ed., Hart Publishing 2012)

Justification & Excuse in *Oxford Handbook of Philosophy of Criminal Law* (David Dolinko & John Deigh, eds., Oxford University Press 2011)

Beyond the Special Part (with Larry Alexander) in *Philosophical Foundations of Criminal Law* (R.A. Duff & Stuart Green, eds., Oxford University Press 2010)

Intention in *A Companion to Philosophy of Law and Legal Theory* 2d ed. (Dennis Patterson, ed., Blackwell 2010)

Is There a Method to the Madness? Why Creative and Counterintuitive Solutions Are Counterproductive (with Michael Dorff) in *Theoretical Foundations of Law & Economics* (Mark D. White, ed., Cambridge University Press 2008)

Articles and Essays

#WeToo (forthcoming Florida State University Law Review)

Dissent-Sensitive Permissions (forthcoming Law and Philosophy) (symposium)(refereed journal)

Conspiracy, Complicity, and the Scope of Contemplated Crime, 53 Arizona State Law Journal 453 (2021)(symposium)

Punishment, Proportionality, and Aggregation, 15 Criminal Law and Philosophy 481 (2021)(symposium)(refereed journal)

The Reach of the Realm, 14 Criminal Law and Philosophy 335 (2020) (symposium)(refereed journal)

Deontological Distinction in War, 129 Ethics 603 (2019) (symposium)(refereed journal)

Consent and Coercion, 50 Arizona State Law Journal 951 (2018)

Defending Honor and Beyond: Reconsidering the Relationship between Seemingly Futile Defense and Permissible Harming, 15 Journal of Moral Philosophy 683 (2018)(refereed journal)

Defense and Desert: When Reasons Don't Share, 55 San Diego Law Review 265 (2018) (symposium)

Probing the Depths of the Responsible Corporate Officer's Duty, 12 Criminal Law and Philosophy 455 (2018) (symposium)(refereed journal)

Patty Hearst Reconsidered: Personal Identity in the Criminal Law, 15 Ohio State Journal of Criminal Law 367 (2018) (solicited)(refereed journal)

The Bluff: The Power of Insincere Actions, 23 Legal Theory 168 (2017) (refereed journal)

How to Think (Like a Lawyer) about Rape, 11 *Criminal Law and Philosophy* 759 (2017) (with Peter Westen)(refereed journal)

Consent, Culpability, and the Law of Rape, 13 *Ohio State Journal of Criminal Law* 397 (2016) (solicited)(refereed journal)

Intentional Content and Non-Combatant Immunity: When Has One Intentionally Killed a Non-Combatant?, 4 *Method: Analytic Perspectives* 88 (2015)(solicited)(refereed journal)

Representational Content's Relevance to War: A Reply to Husak, 4 *Method: Analytic Perspectives* 116 (2015)(solicited)(refereed journal)

Preventive Justice and the Presumption of Innocence, 8 *Criminal Law and Philosophy* 505 (2014)(symposium)(refereed journal)

Provocateurs, 7 *Criminal Law and Philosophy* 597 (2013)(symposium)(refereed journal)

Prevention, Wrongdoing, and the Harm Principle's Breaking Point, 10 *Ohio State Journal of Criminal Law* 679 (2013)(solicited review essay of Simester and von Hirsch's *Crimes, Harms, and Wrongs: On the Principles of Criminalisation*)(refereed journal)

Rethinking The Ends of Harm, 32 *Law and Philosophy* 177 (2013)(symposium on Tadros' *The Ends of Harm*)(refereed journal)

Plotting Premeditation's Demise, 75 *Law and Contemporary Problems* 83 (2012) (symposium)

Danger: The Ethics of Preemptive Action, 9 *Ohio State Journal of Criminal Law* 637 (2012) (with Larry Alexander) (symposium)(refereed journal)

Culpable Aggression: The Basis for Moral Liability to Defensive Killing, 9 *Ohio State Journal of Criminal Law* 669 (2012) (symposium)(refereed journal)

The Unsolved Mysteries of Causation and Responsibility, 42 *Rutgers Law Journal* 347 (2011)(symposium)

Beyond Crime and Commitment: Justifying Liberty Deprivations of the Dangerous and Responsible, 96 *Minnesota Law Review* 141 (2011) (selected for 2013 Berger Memorial Prize)

Inchoate Crimes at the Prevention/Punishment Divide, 48 *San Diego Law Review* 1273 (2011) (symposium)

A Planet By Any Other Name, 108 *Michigan Law Review* 1011 (2010) (review essay of Neil deGrasse Tyson's *The Pluto Files*)

Response to Critics, 29 *Law and Philosophy* (2010) (with Larry Alexander) (symposium)(refereed journal)

The Perils of Forgetting Fairness, 59 *Case Western Reserve Law Review* 597 (2009) (with Michael Dorff)

The Structure of Criminal Law, 28 *Criminal Justice Ethics* 223 (2009) (solicited review essay of Antony Duff's *Answering for Crime*) (refereed journal)

Justifying Killing in Self-Defence, 99 *Journal of Criminal Law & Criminology* 235 (2009) (with Arlette Grabczynska) (review essay of Fiona Leverick's *Killing in Self-Defence*)

Self-Defense and the State, 5 Ohio State Journal of Criminal Law 449 (2008) (symposium) (refereed journal)

Culpable Acts of Risk Creation, 5 Ohio State Journal of Criminal Law 375 (2008) (with Larry Alexander) (symposium) (refereed journal)

Beyond Intention, 29 Cardozo Law Review 1147 (2008) (selected for 2006 Stanford/Yale Junior Faculty Forum in the category of criminal law).

Act, Agency, and Indifference: The Foundations of Criminal Responsibility, 10 New Criminal Law Review 441 (2007) (solicited review essay of Victor Tadros' *Criminal Responsibility* (2005)) (refereed journal)

Holistic Culpability, 28 Cardozo Law Review 2523 (2007) (symposium)

Clarifying Consent: Peter Westen's The Logic of Consent, 25 Law and Philosophy 193 (2006) (solicited review essay) (refereed journal)

A Reckless Response to Rape: A Reply to Ayres and Baker, 39 U.C. Davis Law Review 637 (2006)

Justifying Self-Defense, 24 Law and Philosophy 711 (2005) (symposium issue) (refereed journal)

Defending Imminence: From Battered Women to Iraq, 46 Arizona Law Review 213 (2004), reprinted in Moriarty ed., *Women and the Law* (2006)

Some Sound and Fury from Kaplow and Shavell, 23 Law and Philosophy 73 (2004) (review article of Louis Kaplow & Steven Shavell, *Fairness versus Welfare* (2002)) (refereed journal)

Don't Abandon the Model Penal Code Yet! Thinking Through Simons's Rethinking, 6 Buffalo Criminal Law Review 185 (2002) (symposium issue) (refereed journal)

Opaque Recklessness, 91 Journal of Criminal Law & Criminology 597 (2001)

Mens Rea and Inchoate Crimes, 87 Journal of Criminal Law & Criminology 1138 (1997) (with Larry Alexander)

Comment, *The Role of Luck in the Criminal Law*, 142 University of Pennsylvania Law Review 2183 (1994)

Commentaries and Other Short Pieces

Taking Aim at Pointing Guns? Start with Citizen's Arrest, Not Stand Your Ground: A Reply to Joseph Blocher, Samuel W. Buell, Jacob D. Charles, and Darrell A.H. Miller, Pointing Guns, 99 Texas L. Rev. 1173 (2021), 100 Tex. L. Rev. Online 1 (2021) (quoted/discussed in The New York Times, Slate, Axios, and Mother Jones)

Review of Jonathan Quong's The Morality of Defensive Force (forthcoming Mind)

Review of Alexander Sarch's Criminally Ignorant: Why the Law Pretends We Know What We Don't, 131 Ethics 406 (2021)

Review of Uwe Steinhoff's Self-Defense, Necessity, and Punishment: A Philosophical Analysis, Notre Dame Philosophical Reviews, [Self-Defense, Necessity, and Punishment: A Philosophical Analysis // Reviews // Notre Dame Philosophical Reviews // University of Notre Dame](#)

Introduction in Palgrave Handbook of Applied Ethics and the Criminal Law (Larry Alexander and Kimberly Kessler Ferzan, eds., Palgrave, 2019)

Review of Findlay Stark's Culpable Carelessness, 81 Modern Law Review 1092 (2018)

On Jeffrie Murphy's "Involuntary Acts and Criminal Liability" 125 Ethics 119 (2015) (solicited contribution to 125th year celebration volume).

Of Weevils and Witches: What Can We Learn from the Ghost of Responsibility Past? A Commentary on Lacey's "Jurisprudence, History, and the Institutional Quality of Law," 101 Virginia Law Review 947 (2015)(solicited)

Finding Old Puzzles in New Places, <http://crim.jotwell.com/finding-old-puzzles-in-new-places/> jotwell.com (commentary on Hosein's *Are Justified Aggressors a Threat to the Rights Theory of Self-Defense?*)(online 2015)

Moving Beyond Crime and Commitment, 13 APA Newsletter in Philosophy and Law 1 (2014)

Thinking through the "Third Way": The Normative and Conceptual Space Beyond Crime and Commitment, 13 APA Newsletter in Philosophy and Law 16 (2014)

When to Punish, <http://crim.jotwell.com/when-to-punish/> jotwell.com (commentary on Patrick Tomlin's "Time and Retribution") (online 2013)

Review of Guyora Binder's Felony Murder, Criminal Law and Criminal Justice Books, <http://clcjbooks.rutgers.edu> (online 2013)

Will the Real Paul Robinson Please Stand Up? Robinson's Conflicting Criminal Code, 10 Ohio State Journal of Criminal Law 237 (2012)(refereed journal)

Professor Tadros' Wild Ride: Duty, Defense, Deterrence and the Criminal Law, <http://crim.jotwell.com/professor-tadros-wild-ride-duty-defense-deterrence-and-the-criminal-law/> jotwell.com (commentary on Tadros' *The Ends of Harm*)(online 2012)

Ferzander's Surrebuttal, 6 Criminal Law and Philosophy 463 (2012) (with Larry Alexander)(refereed journal)

Review of Leo Katz's Why the Law Is So Perverse, Criminal Law and Criminal Justice Books, <http://clcjbooks.rutgers.edu> (online 2012)

Iconoclasts? Who, Us? A Reply to Dolinko, 6 Criminal Law and Philosophy 281 (2012) (with Larry Alexander)(solicited reply to book review)(refereed journal)

"Moore or Less" Causation and Responsibility, 6 Criminal Law and Philosophy 81 (2012) (solicited review of Michael Moore's *Causation and Responsibility*)(with Larry Alexander) (refereed journal)

Symposium Introduction, Michael Moore's Causation and Responsibility, 42 Rutgers Law Journal 295 (2011)

Does Hard Determinism Require “Furnishment” Instead of Punishment?

[http://crim.jotwell.com/does-hard-determinism-require-](http://crim.jotwell.com/does-hard-determinism-require-%E2%80%9Cfurnishment%E2%80%9D-instead-of-punishment/)

[%E2%80%9Cfurnishment%E2%80%9D-instead-of-punishment/](http://crim.jotwell.com/does-hard-determinism-require-%E2%80%9Cfurnishment%E2%80%9D-instead-of-punishment/) jotwell.com (commentary on Saul Smilansky’s “Hard Determinism and Punishment: A Practical *Reductio*”) (online 2011)

Self-Defense, Permissions, and the Means Principle: A Reply to Quong, 8 Ohio State Journal of Criminal Law 503 (2011) (refereed journal)

Shining the Light on Negligence, <http://crim.jotwell.com/shining-the-light-on-negligence/>

jotwell.com (commentary on George Sher’s *Who Knew?*) (online 2010)

Contributions to Criminal Law Conversations (co-edited with Robinson and Garvey, Oxford University Press 2009): *Results Don’t Matter* (core text and reply with Larry Alexander); *Against Negligence Liability* (core text and reply with Larry Alexander); *Sex as Contract* (commentary); *Can’t Sue, Can Kill* (commentary); *The Values and Costs of Imminence* (commentary)

Arson and the Special Part, 3 Criminal Law & Philosophy 97 (2009)(refereed journal) (symposium)

Living on the Edge: The Margins of Legal Personhood, 39 Rutgers Law Journal 237 (2008)(symposium introduction)

Murder after the Merger: A Commentary on Finkelstein, 9 Buffalo Criminal Law Review 561 (2006) (refereed journal)

Justifications and Excuses: Legal and Philosophical Perspectives, Symposium Foreword, 24 Law and Philosophy 547 (2005) (symposium issue) (refereed journal)

Torture, Necessity, and the Union of Law & Philosophy, 36 Rutgers Law Journal 183 (2004) (symposium)

Podcast Interviews

Discussed work on preventive justice in “Two Justice Systems,” *HiPhi Nation Slate Plus*, June 27, 2020 <https://slate.com/podcasts/hi-phi-nation/2020/06/kimberly-kessler-ferzan-two-institutions-criminal-justice>

Featured in “Justice and Retribution,” *HiPhi Nation*, June 27, 2020

<https://hiphination.org/season-4-episodes/s4-episode-6-justice-and-retribution-june-6th-2020/>

Discussed “Consent and Coercion” in “Sexceptionalism Sells,” *Heidi Matthews on Demand*, March 4, 2019

<https://tunein.com/podcasts/News--Politics-Podcasts/HMOD---Heidi-Matthews-On-Demand-p1191348/?topicId=130446201>

“Preventive Justice,” *Public Ethics Radio*, April 27, 2013

<http://www.carnegiecouncil.org/studio/multimedia/20130427/index.html#section-27725>

Books in Progress

Self-Defense: The Paradigm and the Periphery (monograph in early stages of preparation)

Thinking Through #MeToo (monograph in early stages of preparation)

Articles in Progress

Force and Flight (with Rachel Harmon)

Centennial Celebration of the Model Penal Code: A Critical History (solicited)

PUBLIC LECTURES/KEYNOTES

Public Lecture, University of Maryland, anticipated May 2022.

Public Lecture, “Consent, Culpability, and the Law of Rape,” University of Warwick, November 2019.

Keynote Address, “Consent and Coercion II,” Cambridge University, Department of Philosophy, Conference on Consent, July 2018.

Bloustein Lecture in Law and Ethics, “Consent and Coercion I,” Rutgers Institute for Law and Philosophy, April 2018.

“Puzzles for Retributive Punishment,” Criminal Justice Forum, Cleveland Marshall Law School, February 2018.

Public Lecture, “Distributing Retributive Desert,” London School of Economics Law School, November 2017.

Chair Lecture, “If What I Do Is Right, How Can You Make It Wrong?” University of Virginia School of Law, February 2016.

Keynote Address, “From Defense to Detention,” Ontario Legal Philosophy Partnership, Graduate Student Conference, Osgoode Hall Law School, May 2013.

CONFERENCES, ROUNDTABLES & WORKSHOPS

“Force and Flight,” with Rachel Harmon, Virtual Workshop on the Political Turn(s) in Criminal Theory, January 2022.

Roundtable on David Brink’s *Fair Opportunity and Responsibility*, sponsored by the University of Illinois College of Law and the University of San Diego Law School, San Diego, December 2021.

“The Trouble with Time Served,” Queen’s Colloquium on Legal and Political Philosophy, virtual, November 2021.

“The Trouble with Time Served,” NYU Furman Scholars Workshop, October 2021.

“Force and Flight,” with Rachel Harmon, Virtual Conference on Policing and Political Philosophy, Institute for Humane Studies, October 2021.

“The Trouble with Time Served,” Edinburgh/Glasgow Virtual Criminal Law Discussion Group, September 2021.

“The Trouble with Time Served,” NYU Colloquium in Legal and Political Philosophy, September 2021.

“The Trouble with Time Served,” UVA/UNC/Maryland Virtual Crim Workshop, August 2021.
“The Trouble with Time Served,” Penn Law Faculty Workshop, August 2021.

Organizer/Discussant, Workshop on Renee Jorgensen’s Rewriting Rights, Penn Institute for Law and Philosophy, virtual, July & August 2021.

Comment on Jonas Haeg, “Provocation, Responsibility and the Right to Self-Defence,” Stockholm Centre for the Ethics of War and Peace, 6th Annual Graduate Reading Retreat, May 2021.

“#WeToo,” Oxford Seminars in Jurisprudence, March 2021, virtual.

“Consent, Culpability, and the Law of Rape,” Law, Reason, and Value Colloquium, University of California-Irvine, School of Law, February 2021.

“#WeToo,” Faculty Workshop, Brooklyn Law School, February 2021.

“Punishment, Proportionality, and Aggregation,” Virtual Workshop on the Political Turn(s) in Criminal Theory, October 2020.

“Conspiracy, Complicity, and the Scope of Contemplated Crime,” Public Law Workshop, University of Minnesota Law School, October 2020.

“Conspiracy, Complicity, and the Scope of Contemplated Crime,” Guilty Minds: A Virtual Conference on Mens Rea and Criminal Justice Reform,” Academy for Justice and Arizona State University College of Law, September 2020.

“Punishment, Proportionality, and Aggregation,” Conference on Proportionality in the Criminal Law, Georgetown Institute for the Study of Markets and Ethics, September 2020.

“Consent, Conventions, and Context [previously Dissent-Sensitive Permissions],” Faculty Workshop, University of Pennsylvania Carey Law School, January 2020.

“Quong and the Means Principle: Quibbles, Qualms, and Questions,” Workshop on Jonathan Quong’s *The Morality of Defensive Force*, University of Oslo, December 2019.

“#BelieveWomen and the Presumption of Innocence: Clarifying Questions in Law and Life,” Responsibility, Belief, and Knowledge Workshop, University College London, December 2019.

“Dissent-Sensitive Permissions,” Hart Seminar, Surrey Centre for Law and Philosophy, University of Surrey, November 2019.

“Dissent-Sensitive Permissions,” Conference on Sexual Consent, University of Warwick, November 2019.

“#BelieveWomen and the Presumption of Innocence: Clarifying Questions in Law and Life,” King’s Legal Philosophy Workshop, King’s College, London, November 2019.

“#BelieveWomen and the Presumption of Innocence: Clarifying Questions in Law and Life,” Centre for Ethics, Law and Public Affairs, University of Warwick, November 2019.

“Dissent-Sensitive Permissions,” North American Workshop on Private Law Theory, Western University, London, Ontario, October 2019.

“#BelieveWomen and the Presumption of Innocence: Clarifying Questions in Law and Life,” American Society for Political and Legal Philosophy Conference on Truth and Evidence, Princeton University Center for Human Values, September 2019.

“#BelieveWomen and the Presumption of Innocence: Clarifying Questions in Law and Life,” Centre for Moral, Social, and Political Theory Seminar, ANU School of Philosophy, August 2019.

“Repatriation and the Reach of the Realm,” Rutgers Institute for Law and Philosophy conference on Antony Duff’s *The Realm of the Criminal Law*, May 2019.

“Stand Your Ground,” American Philosophical Association, Pacific Division, Annual Meeting, Vancouver, Canada, April 2019.

“Stand Your Ground,” Toronto Legal Theory Workshop, February 2019

Roundtable on John Oberdiek’s *Imposing Risk*, University of Illinois Program in Law and Philosophy and Georgetown University Institute for the Study of Markets and Ethics, Georgetown University, November 2018.

North American Workshop in Private Law Theory, Yale Law School, October 2018 (by invitation).

“Losing the Right to Assert You’ve Been Wronged,” Civil Wrongs and Justice in Private Law, Rutgers Institute for Law and Philosophy, October 2018.

“Consent and Coercion,” Neighborhood Criminal Justice Workshop, University of Richmond, May 2018.

Analytic Legal Philosophy Conference, University of Toronto, April 2018.

“Consent and Coercion,” University of Virginia Faculty Workshop, March 2018.

“The Means Principle and Optimific Wrongs,” Moral Philosophy Seminar, University of Oxford, November 2017.

Roundtable on Rights, Churchill College, Cambridge University, November 2017.

“Risking Other People’s Riskings,” Criminal Law and Criminal Justice Theory Forum, London School of Economics Law School, November 2017.

“Risking Other People’s Riskings,” Criminal Law Seminar, Edinburgh Law School, November 2017.

“The Means Principle and Optimific Wrongs,” Centre for Ethics, Law and Public Affairs, University of Warwick, November 2017.

Book Manuscript Workshop on *Reflections on Crime and Culpability*, University of Virginia School of Law, September 2017.

“Deontological Distinction,” Workshop on Adil Ahmad Haque’s *Law and Morality at War*, Stockholm Centre for the Ethics of War and Peace, Vaxholm, Sweden, June 2017.

“The Means Principle and Optimific Wrongs,” Workshop on Festschrift for Larry Alexander, Yale Law School, May 2017.

“Multiple Personality Disorder and the Criminal Law,” Board of Trustees and Alumni Council, University of Virginia School of Law Foundation, May 2017.

Moderator, “Political Violence and Authority,” Society for Applied Philosophy, APA Pacific Division Annual Meeting, Seattle, WA, April 2017.

Comment on Patrick Tomlin’s “Retributivists! The Harm Principle Is Not for You!” APA Pacific Division Annual Meeting, Seattle, WA, April 2017.

“The Means Principle and Optimific Wrongs,” APA Pacific Division Annual Meeting, Seattle, WA, April 2017.

“Probing the Depths of the Responsible Corporate Officer’s Duty,” Conference on Crime without Fault, Georgetown Law School, March 2017.

Workshop on Defensive Liability, Philosophy Department, University of Delaware, March 2017.

“Risking Other People’s Riskings,” Duke Law School Faculty Workshop, February 2017.

“Defense and Desert,” Conference on Self-Defense, University of San Diego, School of Law, November 2016.

Roundtable on “How is Philosophy Relevant to Law?” Southeastern Association of Law Schools Annual Meeting, Amelia Island, FL, August 2016.

Roundtable on “Looking Forward: Criminal Law’s Role,” Southeastern Association of Law Schools Annual Meeting, Amelia Island, FL, August 2016.

Analytic Legal Philosophy Conference, University of Virginia School of Law, May 2016.

“Consent and Culpability,” Conference on Theorizing Consent, University of Texas, April 2016.

“The Bluff,” Harvard Law School Faculty Workshop, January 2016.

“Beyond Defending Honor: Revisiting the Connection between Self-Defense and Success,” Harvard Law and Philosophy Colloquium, November 2015.

“Beyond Defending Honor: Revisiting the Connection between Self-Defense and Success,” Workshop on Helen Frowe’s *Defensive Killing* and Seth Lazar’s *Sparing Civilians*, Carnegie Council for Ethics and International Affairs, New York, New York, September 2015.

Roundtable on Douglas Husak’s Mistakes of Law book manuscript, Yale Law School, September 2015.

Comment on Kit Wellman’s “The Rights Forfeiture Theory of Punishment,” APA Pacific Division Annual Meeting, Vancouver, BC, April 2015.

Comment on Gideon Yaffe’s “Omission and the Proper Objects of Criminal Liability,” Conference on Ethics and Law of Omissions, University of San Diego Philosophy Department, April 2015.

Public Panel, “When Should Nations Kill?” University of Delaware, October 2014.

Workshop on the Ethics of War, University of Delaware Philosophy Department, October 2014.

“The Bluff,” UCLA Legal Theory Workshop, February 2014.

“The Bluff,” University of Illinois Criminal Law Workshop, February 2014.

“The Bluff,” University of Chicago Law School Faculty Workshop, February 2014.

“The Bluff,” University of Virginia School of Law Faculty Workshop, November 2013.

“Self-Defense and Forfeiture,” 2013 Bowling Green Workshop in Applied Ethics: Self-Defense. Bowling Green State University. April 2013.

“The Bluff,” Penn Law Legal Theory Workshop. April 2013.

“Beyond Crime and Commitment,” American Philosophical Association, Pacific Division Conference, Berger Memorial Prize Panel on my article, San Francisco, March 2013.

“The Bluff,” Analytic Legal Philosophy Conference. University of Miami Law School. March 2013 (invitation only).

Roundtable on Complicity, University of San Diego School of Law, February 2013.

“The Bluff,” LSR Fellow Seminar, Princeton University Center for Human Values, January 2013.

“Confused Culpability, Contrived Causation, and the Collapse of Tort Theory,” Conference on the Philosophical Foundations of Torts, Rutgers-Camden Institute for Law and Philosophy, November 2012 (with Larry Alexander).

Panel Commentator, Conference on the Philosophical Foundations of Torts, Rutgers-Camden Institute for Law and Philosophy, November 2012.

“The Complexities of Gun Regulation,” Federalist Society Panel (other contributor: John Lott), Rutgers University, School of Law-Camden, October 2012.

Commentator, Dallas G. Dennery II’s “Uncertainty and Deception in the Medieval and Early Modern Court,” LSR Fellow Seminar, Princeton University Center for Human Values, October 2012.

“Preventive Justice and the Presumption of Innocence,” Conference on Preventive Justice, University of Minnesota Law School Robina Institute, September 2012.

“Preventive Justice and the Presumption of Innocence,” 2012 International Conference on Law and Society, Honolulu, Hawaii, June 2012.

“Preventive Detention, Proof, and the Presumption of Innocence,” Conference on “Fraying the ‘Golden Thread’: The Presumption of Innocence in Contemporary Criminal Law,” University of Minnesota Law School Robina Institute, May 2012.

Analytic Legal Philosophy Conference, Yale Law School, April 2012 (by invitation).

“Rethinking *The Ends of Harm*,” Symposium on Victor Tadros’ *The Ends of Harm*, Rutgers Law School, Camden, NJ, March 2012 (conference organizer).

“Will Facebook Change the Face of Criminal Law?” Panel on Facebook sponsored by student organizations, Rutgers Law School, Camden, NJ, March 2012.

“Provocateurs,” University of Maryland Law School, Legal Theory Workshop, February 2012.

“Provocateurs,” Fordham Law School Legal Theory Workshop, February 2012.

Roundtable on Criminal Law Theory Casebook Project, sponsored by Penn Law, December 2011.

“Provocateurs,” Conference on *Actio Libera in Causa*, Penn Law Institute for Law and Philosophy, December 2011.

“Expert Testimony,” New Jersey Judicial College, November 2011.

“Provocateurs,” Criminal Law Theory Colloquium, NYU Law School, October 2011.

“Culpable Aggression,” University of Texas Law School, Law and Philosophy Workshop, October 2011.

“Inchoate Crimes at the Prevention/Punishment Divide,” Panel on Criminalization, 25th World Congress of Philosophy of Law and Social Philosophy, Frankfurt, Germany, August 2011.

Roundtable on Criminal Law Theory Casebook Project, sponsored by Rutgers University, June 2011.

“Plotting Premeditation’s Demise,” Conference on Adjudicating the Guilty Mind, Duke University School of Law, May 2011.

“Beyond Crime and Commitment,” Morality of Preventive Restriction of Liberty Conference, University of San Diego Institute for Law and Philosophy, April 2011.

“Beyond Crime and Commitment,” American Philosophical Association, Eastern Division Conference, Panel on the Relationship between Preventive Detention and Retributive Justice, Boston, December 2010.

Roundtable on Criminal Law Theory Casebook Project, sponsored by the University of Illinois College of Law, October 2010.

“Culpable Aggression,” Kline Workshop on Enforcement and Compensation Rights, University of Missouri Philosophy Department, September 2010.

“The Unsolved Mysteries of Causation and Responsibility,” Symposium of Causation and Responsibility, Rutgers-Camden Institute for Law and Philosophy, August 2010 (conference organizer).

Analytic Legal Philosophy Conference, NYU Law School, April 2010 (by invitation).

University of Pennsylvania Law School Mini-Symposium on Crime and Culpability, December 2009 (symposium in honor of my co-authored book).

Roundtable on Ignorance of the Law, Rutgers-Camden Institute for Law and Philosophy, November 2009 (roundtable co-organizer).

Roundtable on the Philosophical Foundations of Tort Law, University of San Diego School of Law, October 2009.

“Beyond the Special Part,” Conference on the Philosophical Foundations of Criminal Law, Rutgers-Newark Law School, September 2009.

“Rules of Evidence: Update 2009,” New Jersey Institute for Continuing Education, June 2009.

University of Illinois’ Institute for Law and Philosophy Conference, “A Celebration of Crime and Culpability,” Chicago, May 2009 (symposium in honor of my co-authored book).

“Beyond the Special Part,” Fordham Law School, Criminal Law Speaker Series, April 2009.

“Beyond the Special Part,” FSU College of Law Faculty Workshop, February 2009.

“Justification and Excuse,” Roundtable on Oxford Handbook of the Philosophy of Criminal Law, sponsored by the University of Illinois School of Law, Chicago, September 2008.

“Arson and the Special Part,” Commentary on Michael Cahill’s “Grading Arson,” Rutgers-Camden Institute for Law and Philosophy, Conference, “The Evolution of Criminal Law Theory,” May 2008 (conference co-organizer).

Analytic Legal Philosophy Conference, Yale Law School, April 2008 (by invitation).

“Beyond the Special Part,” Boston University School of Law Faculty Workshop, March 2008.

“Culpable Acts of Risk Creation,” Southwestern Law School Faculty Workshop, January 2008.

Roundtable on Blame and Retribution: Their Justifications and Preconditions, University of San Diego School of Law, January 2008.

Moderator/Chair, “The Margins of Legal Personhood,” AALS Annual Meeting, Section on Jurisprudence, January 2008.

Planning Committee, Oxford University Press, *The Philosophical Foundations of Criminal Law*, Louisiana State University Law Center, November 2007.

Roundtable on “The Reasonable,” co-sponsored by the Law and Philosophy Institutes at the University of Illinois, University of San Diego, and Rutgers University-Camden. Manchester, Vermont, November 2007 (organizer).

“Justifying Self-Defense,” University of Illinois College of Law Faculty Workshop, August 2007.

Chapters Two and Three of *Crime and Culpability*, Analytic Legal Philosophy Conference, Boalt Hall, Berkeley, California, April 2007 (with Larry Alexander) (attendance by invitation).

Roundtable on the Relationship Between Distributive, Retributive, and Corrective Justice, co-sponsored by the Law and Philosophy Institutes at the University of Illinois, University of Pennsylvania, University of San Diego, and Rutgers University. Tapatio Springs, Texas, March 2007.

Moderator/Chair, “Crafting a Scholarly Persona,” AALS Annual Meeting, Section on Scholarship, January 2007.

“Can I Admit This Hearsay? Issues Under the Confrontation Clause Post-*Crawford*,” New Jersey Judicial Conference, November 2006. Co-panelist: Judge Jack Sabatino.

“Holistic Culpability,” Symposium on George Fletcher’s *The Grammar of the Criminal Law: American, Comparative, International*, Cardozo Law School, November 2006.

“Beyond Intention,” Stanford/Yale Junior Faculty Forum, June 2006. Commentator: Michael Moore. (Paper then titled, “The Inseparable Effects Enigma”).

“Personal Identity and Criminal Responsibility,” Rutgers-Camden Institute for Law and Philosophy, Conference, The Boundaries of Rights and Responsibilities, May 2006 (conference co-organizer).

Roundtable on Intention and Responsibility, co-sponsored by the Law and Philosophy Institutes at the University of Illinois, University of Pennsylvania, University of San Diego, and Rutgers University. Death Valley, California, January 2006.

Analytic Legal Philosophy Conference, University of Texas School of Law, April 2005 (by invitation).

Roundtable on Consent, co-sponsored by the Law and Philosophy Institutes at the University of Illinois, University of Pennsylvania, University of San Diego, and Rutgers University. Colorado Springs, Colorado, November 2004.

“The Epistemic Dimension of Self-Defense” (now “Justifying Self-Defense”), Rutgers-Camden Institute for Law and Philosophy, Conference, Justifications and Excuses: Legal and Philosophical Perspectives, May 2004. Commentators: Jeff McMahan and Paul Robinson. (conference organizer).

“Murder After the Merger,” Commentary on Claire Finkelstein’s *Merger and Felony Murder*, Workshop on the Theory of the Criminal Law’s “Special Part,” Louisiana State University Law Center, March 2004.

Discussant, The Changing Meaning of *Mens Rea*, Law & Society Annual Meeting, June 2003.

PROFESSIONAL AFFILIATIONS

Co-Editor-in-Chief, Law and Philosophy (2013-present) [Associate Editor (2009-2012)]

Member, American Law Institute (elected 2015)

Steering Committee, Analytic Legal Philosophy Conference (2015-present)

Philosophy of Law Editorial Board, Stanford Encyclopedia of Philosophy (2019-present)

Adviser, American Law Institute Project on the Model Penal Code: Sexual Assault and Related Offenses (2012-present)

Members Consultative Group, American Law Institute Project on Sexual and Gender-Based Misconduct on Campus: Procedural Frameworks and Analysis (2015-present)

Editorial Board, Oxford Studies in Political Philosophy (2014-present)

Editorial Board, Legal Theory (2013-present)

Editorial Board, Criminal Law & Philosophy (2005-present)

Advisory Board, Surrey Centre for Law and Philosophy (2020-present)

American Society for Political and Legal Philosophy (2019-present)

Contributing Editor, Jotwell, jotwell.com (2010-2015)

Advisory Board, Criminal Law and Criminal Justice Books, (2010-present)

AALS Section on Jurisprudence (Chair: 2007, 2020/ Secretary: 2003/ Board: 2021-present)

AALS Section on Scholarship (Chair: 2006)

New Jersey Supreme Court Standing Committee on Evidence (2007-2009 term)

Adviser, New Jersey Board of Bar Examiners (2000-2005) (Torts and Evidence)

Reviewed works for Bioethics, Criminal Law & Philosophy, Economics and Philosophy, Ethical Theory and Moral Practice, Ethics, Ethics and International Affairs, Journal of the American Philosophical Association, Journal of Applied Philosophy, Journal of Social Philosophy, Journal of Moral Philosophy, Law and Philosophy, Legal Theory, New Criminal Law Review, Oxford Journal of Legal Studies, Utilitas, Aspen Publishing, Cambridge University Press, and Oxford University Press

Ph.D./M.A. READER/ COMMITTEES

Luke Hunt, Ph.D., Philosophy, University of Virginia (2014-2016)

Lars Christie, Ph.D., Philosophy, University of Oslo (2016)

Michael DaSilva, M.A., Philosophy, Rutgers (2013)

Kyle Haidt, Ph.D., Philosophy, Rutgers (2008)

EXPERIENCE

1997-2000

UNITED STATES DEPARTMENT OF JUSTICE

CRIMINAL DIVISION, PUBLIC INTEGRITY SECTION, Washington, DC

Trial Attorney Investigated and prosecuted complex white collar criminal cases committed by federal, state, and local public officials including perjury, obstruction of justice, bribery and gratuities, criminal conflicts of interest, theft from the government, and mail and wire fraud.

January 1998-

July 1998

UNITED STATES ATTORNEY'S OFFICE, Washington, DC

Special Assistant United States Attorney Handled an extensive caseload of over 200 misdemeanor cases, argued pre-trial motions and tried over thirty cases involving drug distribution and possession, prostitution, destruction of property, and assault.

1995-1997

HONORABLE MARVIN KATZ, United States District Court Judge, Philadelphia, PA

Law Clerk