

**RACHEL HARMON**  
University of Virginia School of Law  
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## **EMPLOYMENT**

### **University of Virginia School of Law**

Harrison Robertson Professor of Law, 2021-present  
Director, Center for Criminal Justice, 2019-present  
Class of 1957 Research Professor of Law, 2020-present  
F.D.G. Ribble Professor of Law, 2016-2019  
Sullivan & Cromwell Professor of Law, 2012-2015  
Professor of Law, 2011-present  
Associate Professor of Law, 2006-2011

### **United States Department of Justice, Civil Rights Division, Criminal Section**

*Trial Attorney*, 1998-2006

Investigated and prosecuted hate crimes and violent crimes by police officers and other government officials nationwide. Worked with federal and local law enforcement agencies and U.S. Attorney's Offices throughout the country. Served on the post-9/11 Arab-American Hate Crimes Task Force. Received special achievement award for sustained superior performance of duty.

### **United States Attorney's Office, Eastern District of Virginia**

*Special Assistant United States Attorney*, 1998-1999

### **The Honorable Stephen G. Breyer, United States Supreme Court**

*Law Clerk*, 1997-1998

### **The Honorable Guido Calabresi, United States Court of Appeals, Second Circuit**

*Law Clerk*, 1996-1997

## **EDUCATION**

### **Yale Law School**

J.D., graduated with Honors in all graded classes (highest grade available), 1996

*Activities*: Yale Law Journal, Articles Editor

Yale Journal of Law & the Humanities, Articles Editor

### **London School of Economics**

Marshall Scholarship, 1991-1993

M.Sc. in Political Theory, Awarded with Distinction (highest awarded honors), 1993

M.Sc. in Political Sociology, Awarded with Distinction (highest awarded honors), 1992

**Massachusetts Institute of Technology**  
B.S. in Civil Engineering, 1990

**PUBLICATIONS**

THE LAW OF THE POLICE (2021)

*Force and Flight*, CRIM. L. & PHIL. (forthcoming) (with Kim Ferzan)

*Legal Challenges to Implementing Evidence Based Policing*, in THE FUTURE OF EVIDENCE BASED POLICING (David Weisburd et al. eds.) (forthcoming)

*Arrests: What Are They Good For?*, 18 REVISTA DE DIREITO PÚBLICO [REV. DIREITO PUB.] 27 (2021) (Braz.).

*The Future of Police Reform*, in HANDBOOK OF ISSUES IN CRIMINAL JUSTICE REFORM (Elizabeth L. Jeglic & Cynthia Calkins eds., 2021) (with Scott Harman)

*Policing, Protesting, and the Insignificance of Hostile Audiences*, in THE PERILOUS PUBLIC SQUARE: STRUCTURAL THREATS TO FREE EXPRESSION TODAY (David E. Pozen ed., 2020)

*Justifying Police Practices: The Example of Arrests* in THE CAMBRIDGE HANDBOOK ON POLICING IN THE UNITED STATES (Tamara Rice Lave and Eric Miller eds., 2019)

*Proactive Policing and the Legacy of Terry* (with Andrew Manns), 15 OHIO ST. J. CRIM. L. 49 (2017) (symposium issue)

*Evaluating and Improving Structural Reform in Police Departments*, 16 CRIMINOLOGY & PUB. POL'Y 617 (2017)

*Legal Remedies for Police Misconduct*, in REFORMING CRIMINAL JUSTICE (Erik Luna ed., 2017)

PROACTIVE POLICING: EFFECTS ON CRIME AND COMMUNITIES (National Academies Press, 2017) (as member of Committee on Proactive Policing) (David Weisburd and Malay Majimundar eds.)

*Why Arrest?*, 115 MICH. L. REV. 307 (2016)

*Reconsidering Criminal Procedure: Teaching the Law of the Police*, 60 ST. LOUIS U. L. REV. 391 (2016) (teaching issue)

*Federal Programs and the Real Costs of Policing*, 90 N.Y.U. L. REV. 870 (2015)

*Legal Control of the Police*, in 6 ENCYCLOPEDIA OF CRIMINOLOGY AND CRIMINAL JUSTICE 2898 (Gerben Bruinsma & David Weisburd eds., 2014)

*Why Do We (Still) Lack Data on Policing?*, 96 MARQ. L. REV. 1119 (2013) (symposium)

*The Problem of Policing*, 110 MICH. L. REV. 761 (2012) (awarded honorable mention in the Association of American Law Schools Scholarly Papers Competition, 2012)

*Limited Leverage: Federal Remedies & Policing Reform*, 32 ST. LOUIS U. PUB. L. REV. 33 (2012) (symposium)

*Promoting Civil Rights Through Proactive Policing Reform*, 62 STAN. L. REV. 1 (2009)

*When is Police Violence Justified?*, 102 NW. U. L. REV. 1119 (2008)

## **TEACHING AND ACADEMIC SERVICE:**

### **Courses Taught:**

Criminal Law  
Criminal Investigation  
Criminal Procedure Survey  
The Law of the Police I: Rights, Rules, and Regulation  
The Law of the Police II: Remedies and Reforms  
The Law of the Police (survey)  
Police Misconduct  
The Supreme Court and Criminal Law  
Supreme Court: October Term

### **Selected Service:**

Director, Center for Criminal Justice, 2019-present  
Tenure Appointments Committee, Chair, 2020-2021  
Ad Hoc Committee to Advise University President on Sexual Assault Policy, 2015  
Faculty Appointments and Tenure Committee, Vice Chair, 2014-2015  
Junior Faculty Development Committee, Chair, 2012-2013  
Entry-Level Appointments Committee, 2011-2012, 2007-2008  
ABA Reaccreditation Self-Study Committee, 2010-2011  
Clerkship Committee, 2008-2010, 2019-2020  
Academic Review Committee, 2006-2009  
Faculty Liaison to the FBI National Academy, 2008-2019

## **SELECTED INVITED SPEECHES AND PRESENTATIONS:**

*More Law, More Power? Rethinking the Impact of Criminal Laws on Policing*, Keynote Address, conference, *Unnecessary Evils: Laws, Judging, and Policing in an Overcriminalized World*, Institute for Humane Studies, July 20, 2021

*Reforming Consent Decree Reform*, Loyola University of Chicago Law Journal symposium, *The Criminal Justice System in Review: Accountability, Reform, and Policy*, Apr. 9, 2021

*The Law of the Police*, Center for the Constitution, James Madison's Montpelier, December 8, 2020

*The New Message in Public Outrage*, inaugural event, Policing in America series, Harvard Law School, September 18, 2020

*Maintaining Order*, Public Law workshop, University of Chicago Law School, September 22, 2020

*Justifying Police Practices: The Example of Arrests*, American Association of Law Schools, Annual Conference, Symposium on Policing, January 5, 2020

*Law Enforcement Accountability*, MFIA Access and Accountability Conference 2019, Yale Law School, October 4, 2019

*Community Policing and the Constitution*, Constitution Day Celebration, University of Virginia Batten School, September 8, 2019

*Lawful Orders*, Legal Theory workshop, University of Michigan Law School, April 4, 2018

*Lawful Orders*, Faculty Workshop, University of Georgia School of Law, February 26, 2018

*Lawful Orders*, University of Texas School of Law, Faculty Colloquium, February 15, 2018

*Community Policing and the Future of Police Reform*, public event, University of Virginia School of Law, February 6, 2018

*Policing Protests and the Limits of the First Amendment*, *The First Amendment Under Fire: A Symposium on Speech, Protest, and the Role of State Actors*, co-sponsored by the ACLU of Virginia and William & Mary Law School, February 2, 2018

*Proactive Policing and the Legacy of Terry*, American Association of Law Schools, Annual Conference, January 6, 2018

*Maintaining Momentum for Policing Reform*, NAACP Legal Defense Fund Annual Civil Rights Training Institute, October 13, 2017

*How We Govern the Police*, community talk, Congregation Beth Israel, January 29, 2017

*Policing in “The Challenge of Crime in a Free Society”—Fifty Years Later*, American Association of Law Schools, Annual Conference, January 5, 2017

*Police Chiefs and Accountability*, Shachoy Symposium on Police Accountability, Villanova University, Charles Widger School of Law, October 28, 2016

*Lawful Orders and Police Uses of Force*, Faculty Workshop, St. John’s University School of Law, October 26, 2016

*Lawful Orders and Police Uses of Force*, Faculty Workshop, American University, Washington College of Law, October 7, 2016

*Accountability of the Police Chief*, National Executive Institute, September 21, 2016

*Socio-Legal Model of Police/Citizen Encounters*, National Executive Institute, September 20, 2016

*Harm-Efficient Policing*, National Executive Institute, September 20, 2016

*Lawful Orders and the Legal Authority for Police Coercion*, CrimFest, Yeshiva University, Benjamin N. Cardozo School of Law, July 11, 2016

*The Structure of Police Authority*, Neighborhood Criminal Justice Roundtable, William & Mary Law School, May 20, 2016

*Why Arrest?*, Faculty Workshop, University of California, Los Angeles School of Law, April 15, 2016

*Prosecuting Police Officers*, NAACP Legal Defense & Education Fund, April 8, 2016

*Police Bias and the Courtroom*, NAACP Legal Defense & Education Fund, April 8, 2016

*Prosecuting Police Officers*, University of Virginia School of Law, April 7, 2016

*Why Arrest?*, Constitutional Law Workshop, University of Chicago Law School, October 22, 2015

*Why Arrest?*, CrimFest, Yeshiva University, Benjamin N. Cardozo School of Law, July 21, 2015

*Why Arrest?*, 2015 Soll Lecture, University of Arizona, James E. Rogers College of Law, March 24, 2015

*Use of Force, Ferguson, and the Possibility of Reform*, University of Virginia, February 24, 2015

*Ferguson and the Costs of Policing*, Advanced Criminal Law & Procedure Workshop, Washington and Lee School of Law, October 27, 2014

*Federal Programs and the Real Costs of Policing*, University of Toronto Faculty of Law Workshop, October 23, 2014

*Federal Public Safety Programs and the Real Costs of Policing*, CrimFest, Rutgers School of Law, July 22, 2014

*Designing Effective and Legitimate Consent Decrees*, Models of Police Institutional Reform Litigation Conference, Columbia University Law School, December 6, 2013

*Policing Federalism*, Minnesota Public Law Workshop, University of Minnesota Law School, October 24, 2013

*Why You Should Work in Public Interest Law*, University of Virginia School of Law, August 29, 2013, August 30, 2012, September 21, 2011, August 31, 2010, August 26, 2009, August 26, 2008

*Federal Programs and Policing Federalism*, Criminal Justice Roundtable, University of Chicago Law School, April 26, 2013

*Prosecuting Civil Rights Crimes*, Charlottesville Albemarle Bar Association, Women Lawyers Section, February 26, 2013

*Law, Videotaping, and the Police*, Charlottesville Albemarle Bar Association, February 21, 2013

*Information and Effective Governance of the Police*, Wickersham Commission Conference, Marquette University Law School, October 5, 2012

*Videotaping and Policing Policy and Practice*, Virginia Association of Chiefs of Police Annual Conference, August 12, 2012

*What the Federal Government Can Best Do to Reduce Misconduct*, American Constitution Society, University of Virginia School of Law, April 4, 2012

*What the Federal Government Can Best Do to Reduce Misconduct*, Control of Police Misconduct in a Post-Exclusionary Rule World Conference, St. Louis University School of Law, February 24, 2012

*The Problem of Policing*, American Association of Law Schools Annual Conference, January 6, 2012

*Promoting Civil Rights Through Proactive Policing Reform*, Faculty Workshop, University of Virginia School of Law, March 13, 2009

*The Department of Justice's Role in Remediating Police Use of Excessive Force*, Testimony, U.S. House of Representatives, Committee on the Judiciary, Police Accountability Forum, May 12, 2008

*Fighting for Criminal Civil Rights*, Charlottesville Albemarle Bar Association, Criminal Section, March 12, 2008

#### **SELECTED ADDITIONAL PROFESSIONAL ACTIVITIES:**

American Law Institute, Associate Reporter, *Principles of Law: Policing*, and member, 2014-present

Policing Project, New York University, Senior Fellow, 2020-present

Arnold Ventures/Policing Project, State Legislative Advisory Committee, member, 2020-present

Baltimore Police Department Consent Decree Monitoring Team, court-appointed subject matter expert (2017-2018)

Independent Review of the 2017 Protest Events in Charlottesville, Virginia, law enforcement expert (2017)

National Research Council, National Academies of Sciences, Engineering, and Medicine, member of the Committee on Proactive Policing: Effects on Crime, Communities, and Civil Liberties, 2015-2017

Leadership in Academic Matters, Fellow, University of Virginia, Fall 2015

National Research Council, National Academies of Sciences, Engineering, and Medicine, member of the Committee on the Illicit Tobacco Market, 2013-2015

Virginia Department of Criminal Justice Services, member of Law Enforcement Course Advisory Committee, 2014-present

American Association of Law Schools, Scholarly Paper Competition Selection Committee, 2013

FBI National Academy, University Liaison, 2008-2019

National Prison Rape Elimination Commission, expert committee member, 2007

ABA Criminal Section Council Member, 2001-2002

**NON-PROFIT BOARDS:**

The Fountain Fund, founding Board Member, 2016-present  
Peabody School, Board Member, 2014-2017  
Charlottesville Police Foundation, Board Member, 2007-2015  
Rosemount Center, Board Member, 2001-2003 and Vice Chair, 2003-2005

**STATE BAR ADMISSION:**

State of Maryland