

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, 2020-2023
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

Awards:

SCHEV Outstanding Faculty Award, 2023
Virginia's highest honor for faculty at public and private colleges and universities;
awarded for superior accomplishment in research, teaching, and public service.
All-University Teaching Award, 2022

The White House

Senior Policy Advisor for Criminal Justice, Domestic Policy Council, 2023-2024

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. 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

London School of Economics

Marshall Scholar, 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 (2d ed. 2024) (forthcoming)

THE LAW OF THE POLICE (custom ed. for American Bar Association 2023)

The Federal Government's Role in Local Policing, 110 VA. L. REV. 1527 (2023) (with Barry Friedman and Farhang Heydari)

Law and Orders, 123 COLUM. L. REV. 1 (2023)

Force and Flight, 17 CRIM. L. & PHIL. 597 (2023) (with Kim Ferzan)

Evidence-Based Policing and the Law: The American Perspective, in THE FUTURE OF EVIDENCE BASED POLICING (David Weisburd et al. eds.) (2023)

THE LAW OF THE POLICE (2021)

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

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

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)

SELECTED WHITE PAPERS AND SHORTER WORKS

What Biden Can Do About Bad Policing (with Barry Friedman), L.A. Times (Feb. 15, 2021)

Policing Priorities for the New Administration (with Barry Friedman), NYU School of Law Policing Project and UVA Law Center for Criminal Justice (Dec. 2020) (white paper)

Changing the Law to Change Policing: First Steps (with Barry Friedman, et al.), NYU School of Law Policing Project (Jun., 2020) (white paper)

Policing, Protesting, and the Insignificance of Hostile Audiences, Knight First Amendment Institute (Nov. 2, 2017)

Trump's Remarks to Police Violate His Oath of Office, Marshall Project (Aug. 2, 2017)

Harmon: Federal Civil Rights Law May Make Bringing Criminal Charges in Eric Garner's Death Difficult, N.Y. Daily News (Dec. 5, 2014)

SELECTED PODCASTS AND MEDIA

Police Commands and Coercion: An Interview with Professor Rachel Harmon, Talks on Law (Mar. 13, 2023)

When Can Police Use Deadly Force?, Talks on Law (Jun. 11, 2021)

1990 v. 2020: Police Accountability Then Vs. Now and What the Future Holds, Color Lines: From Phillip to Floyd (May 31, 2021)

How Violent Cops Stay in Law Enforcement, New Yorker (May 21, 2021)

Split-Second Decisions: How a Supreme Court Case Shaped Modern Policing, N.Y. Times (Apr. 25, 2021)

Policing the Police, Common Law S3 E6 (Apr. 6, 2021)

When Police Kill People, They are Rarely Prosecuted and Hard to Convict, Wash. Post (Apr. 4, 2021)

UVA Law Professor and Policing Scholar Rachel A. Harmon, Zócalo (Dec. 10, 2020)

What Would Society Look Like Without Police?, Zócalo Public Square (Dec. 10, 2020)

Policing in America, The Problem and the Moment: Diagnosing the American Penal System, Harvard Law School (Sept. 18, 2020)

Videos of Alleged Police Misconduct Went Viral. Then What Happened?, Reuters (Jun. 23, 2020)

Rachel Harmon on Policing (Ep. 98), Conversations with Tyler (Jun. 17, 2020)

Federal Agents Lacking Insignia in Protests Raise Accountability Concerns, Wall St. J. (Jun. 6, 2020)

Who Will Check the Police if the Justice Department Doesn't?, Atlantic (May 24, 2017)

More Guns, More Fear, More Killings, Slate (Jul. 8, 2016)

Why It's So Difficult to Charge Police Officers Who Kill, Wash. Post (Dec. 4, 2014)

Federal Civil Rights Charges Unlikely Against Police Officer in Ferguson Shooting, Wash. Post (Dec. 10, 2014)

Will the Department of Justice Find Zimmerman Guilty?, Amer. Prospect (Aug. 5, 2013)

Shock and Ow!, GQ (Jul. 1, 2010)

SELECTED INVITED SPEECHES AND PRESENTATIONS

Law and Orders, Faculty Workshop, Northwestern University Law School, May 1, 2023

Law and Orders, Faculty Workshop, University of Pennsylvania Law School, March 21, 2023

Law and Orders, The Law of the Police Roundtable, University of South Carolina, June 9, 2022

Force and Flight, Faculty Workshop, Penn State Law School, April 7, 2022

Law and Orders: The Problem of Police Commands, Mastrofski Lecture, George Mason University, March 4, 2022

Force and Flight, Faculty Workshop, University of South Carolina, March 2, 2022

Policing Fentanyl, Presidential Panel, American Society of Criminology annual conference, November 17, 2021

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, April 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

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

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

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, National Executive Institute, September 21, 2016

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

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

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

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

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

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

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

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

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 ADDITIONAL PROFESSIONAL SERVICE

The Fountain Fund, founding Board Member, 2016-2023

Founded with 5 others nonprofit organization to provide low-interest loans and financial coaching to formerly incarcerated people, helping them build credit and achieve their self-determined goals. Have given out more than \$1 million in loans.

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

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

Policing Project, New York University, Senior Fellow, 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 Academies of Sciences, Engineering, and Medicine, member of the Committee on Proactive Policing: Effects on Crime, Communities, and Civil Liberties, 2015-2017

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

FBI National Academy, University Liaison, 2008-2019

National Prison Rape Elimination Commission, expert committee member, 2007

ABA Criminal Section Council Member, 2001-2002

Peabody School, Board Member, 2014-2017

Charlottesville Police Foundation, Board Member, 2007-2015

Rosemount Center, Board Member, 2001-2003 and Vice Chair, 2003-2005