

## JESSICA M. EAGLIN

*Professor of Law*

INDIANA UNIVERSITY MAURER SCHOOL OF LAW

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### ACADEMIC APPOINTMENTS

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**Indiana University, Maurer School of Law**, Bloomington, IN

*Professor of Law*

May 2021 – Present

Harry T. Ice Faculty Fellow, 2022

*Associate Professor of Law*

July 2015 – April 2021

Indiana University Outstanding Junior Faculty Award, 2019

Trustees' Teaching Award, 2019

**Princeton University**, Princeton, NJ

*Law and Public Affairs Fellow*

August 2017 – June 2018

**Yale College**, New Haven, CT

*Instructor, College Seminar Program*

January 2014 – May 2014

**California Western School of Law**, San Diego, CA

*Visiting Assistant Professor of Law*

August 2011 – July 2013

### EDUCATION

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**Duke University School of Law**, Durham, NC

May 2008

Juris Doctor

Editorial Staff, *Duke Journal of Gender Law & Policy*

President, Duke Black Law Students Association

**Duke University Graduate School**, Durham, NC

May 2008

Masters of Arts, Literature

**Spelman College**, Atlanta, GA

May 2005

B.A., *magna cum laude*, English

Phi Beta Kappa Honors Society

Dean's Academic Tuition Scholarship

UNCF Mellon Fellow

### SCHOLARSHIP

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#### PUBLICATIONS

*Racializing Algorithms*, \_\_ CALIFORNIA LAW REVIEW (forthcoming 2023)

*The Perils of "Old" and "New" in Sentencing Reform*, 76 N.Y.U. ANNUAL SURVEY OF AMERICAN LAW (forthcoming 2022) (invited contribution)

*To “Defund” the Police*, 73 STANFORD LAW REVIEW ONLINE 120 (2021) (invited contribution)

- Featured in JOTWELL, Jan. 11, 2022, <https://crim.jotwell.com/the-promise-of-radical-crime-policy/>

*When Critical Race Theory Enters the Law & Technology Frame*, 26 MICHIGAN JOURNAL OF RACE & LAW 151 (2021) (invited contribution)

*Population-Based Sentencing*, 106 CORNELL LAW REVIEW 353 (2021)

*The Categorical Imperative as a Decarceral Agenda*, 104 MINNESOTA LAW REVIEW 2715 (2020) (invited contribution)

*Technologically Distorted Conceptions of Punishment*, 97 WASHINGTON UNIVERSITY LAW REVIEW 483 (2019)

*Constructing Recidivism Risk*, 67 EMORY LAW JOURNAL 59 (2017)

*Predictive Analytics’ Punishment Mismatch*, 14 I/S: A JOURNAL OF LAW & POLICY FOR THE INFORMATION SOCIETY 87 (2017) (invited contribution)

*The Drug Court Paradigm*, 53 AMERICAN CRIMINAL LAW REVIEW 595 (2016)

*Improving Economic Sanctions in the States*, 99 MINNESOTA LAW REVIEW 1837 (2015) (invited contribution)

*Against Neorehabilitation*, 66 SOUTHERN METHODIST UNIVERSITY LAW REVIEW 189 (2013)

*Neorehabilitation and Indiana’s Sentencing Reform Dilemma*, 47 VALPARAISO UNIVERSITY LAW REVIEW 867 (2013) (invited contribution)

#### WORKING PAPERS/PROJECTS

CONFRONTING E-RACIALISMS: RACE, TECHNOLOGY, AND CRIMINAL LEGAL PRACTICES IN THE DIGITAL AGE (Cambridge University Press, forthcoming 2023)

*The Legal Construction of Criminal Records*

#### OTHER PUBLICATIONS

*The Fourth Amendment & Illusory Protections from Surveillance*, SHALL MAKE, SHALL BE: THE BILL OF RIGHTS AT PLAY (forthcoming 2022) (art show)

*Debunking the Myth of Democratized Algorithms in Criminal Administration*, JOTWELL, November 5, 2021 [[online link](#)]

*COVID-19’s Effect on Criminal Administration in the Era of Mass Incarceration*, JOTWELL, July 30, 2020 [[online link](#)]

*Is E-Carceration a Problem? Confronting the Shortcomings of Technological Criminal Justice Reforms*, JOTWELL, August 2, 2019 [[online link](#)]

JESSICA EAGLIN & DANYELLE SOLOMON, BRENNAN CENTER FOR JUSTICE, REDUCING RACIAL AND ETHNIC DISPARITIES IN JAILS: RECOMMENDATIONS FOR LOCAL PRACTICE (2015) [[online link](#)]

*Why Courts Need Guidance on Imposing Fees and Fines*, ACS Blog, September 30, 2015 [[online link](#)]

*Driver's License Suspensions Perpetuate the Challenges of Criminal Justice Debt*, ACS Blog, April 30, 2015 [[online link](#)]

*Poverty, Incarceration, and Criminal Justice Debt*, Talk Poverty, Dec. 2, 2014 (co-authored with Lauren-Brooke Eisen) [[online link](#)]

*Just Facts: A (Still) Rising Prison Population*, The Brennan Center for Justice, September 17, 2014 (also featured on The Washington Post) [[online link](#)]

*May the Odds Be (Never) in Minorities' Favor? Breaking Down the Risk-Based Sentencing Divide*, Huffington Post, August 22, 2014 [[online link](#)]

*Incarceration, Holder and Congress*, The Hill, March 19, 2014 [[online link](#)]

*Holder's New Sentencing Policy Means Congress Must Act*, The Hill, August 15, 2013 [[online link](#)]

## PROFESSIONAL LEGAL EXPERIENCE

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**The Brennan Center for Justice at NYU School of Law**, New York, NY

*Counsel, Justice Program*

June 2013 – June 2015

**Hon. Damon J. Keith for the U.S. Court of Appeals for the Sixth Circuit**, Detroit, MI

*Law Clerk*

August 2010 – August 2011

**Simpson Thacher & Bartlett, LLP**, New York, NY

*Litigation Associate*

October 2008 – July 2010

*Summer Associate*

Summer 2007

## SELECTED PRESENTATIONS & WORKSHOPS

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*Racializing Algorithms* (and other titles)

Faculty Workshop, Minnesota Law School (January 2022)

Faculty Workshop, Penn State Law School (January 2022)

Faculty Workshop, Vanderbilt Law School (November 2021)

Law and Technology Workshop (November 2021)

ABA Criminal Justice Workshop & Roundtable (November 2021)

Decarceration Works in Progress Roundtable (July 2021)

Guest Lecturer, University of Maryland School of Law Seminar on Race, Technology & Law (March 2021)

Guest Lecturer, Yale Law School Seminar on Race & Inequality (February 2021)

*To “Defund” the Police*

Symposium on Reckoning and Reformation: Reflections and Legal Responses to Racial Subordination and Structural Marginalization, Duke Law School (December 2020)

ABA Criminal Justice Workshop & Roundtable (November 2020)

*Population-Based Sentencing* (and other titles)

Faculty Workshop, UC Irvine Law School (September 2020)

Faculty Workshop, Emory University School of Law (February 2020)

Vanderbilt Criminal Justice Roundtable, Vanderbilt University Law School (October 2019)

Culp Colloquium, Duke University School of Law (May 2019)

PULSE & AI Law & Policy Program Workshop on Developing Artificially Intelligent Law Enforcement, UCLA Law School (February 2019)

Faculty Workshop, The Ohio State Moritz College of Law (December 2017)

*Technologically Distorted Conceptions of Punishment* (and other titles)

Ostrom Workshop Colloquium, Indiana University (February 2019)

Faculty-Graduate Seminar at the Department of African American Studies, Princeton University (November 2018)

Faculty Workshop, Washington University St. Louis Law School (October 2018)

Faculty Workshop, Marquette Law School (September 2018)

CrimFest Conference, Cardozo Law School (July 2018)

Culp Colloquium, Stanford Law School (June 2018)

Criminal Justice Roundtable, Harvard Law School (May 2018)

Law and Public Affairs Program Seminar, Princeton University (April 2018)

*Constructing Recidivism Risk*

Law Symposium: Big Data Discrimination: Understanding Algorithmic Power, Washington & Lee University School of Law (March 2017)

Faculty Workshop, The Ohio State Moritz College of Law (February 2017)

Criminal Justice Section Works-in-Progress Panel, American Association of Law Schools Annual Meeting, San Francisco, CA (January 2017)

CrimFest Conference, Cardozo Law School, (July 2016)

Culp Colloquium, Duke University School of Law (May 2016)

*The Drug Court Paradigm*

Faculty Workshop, Wisconsin Law School (April 2016)

Faculty Workshop, Notre Dame Law School (February 2016)

*Against Neorehabilitation*

Southern California Junior Faculty Workshop, UCLA Law School (September 2012)

Lutie Lytle Black Women Faculty Writing Workshop, Suffolk Law School (July 2012)

Emerging Scholars Workshop, Duke Law School (May 2012)

**INVITED PRESENTATIONS & COMMENTARY**

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Panelist, Abolition and Technology, UCLA Law Review Symposium, UCLA Law School (January 2022)

Invited Speaker, Information Society Project, Yale Law School (January 2022)

Invited Lecturer, Data Points Lecture Series, Ohio State University Moritz School of Law (January 2022)

Race, Technology, and Law Virtual Convening, Indiana University Maurer School of Law (co-organizer and presenter) (November 2021)

Panelist, Reimagining an Antiracist Approach to Drug Sentencing, Understanding Drug Sentencing & its Contributions to Mass Punishment, The Ohio State Moritz College of Law (October 2021)

Panelist, Racial Logics in Algorithmic Systems, Regulating Artificial Intelligence Symposium, Electronic Privacy Information Center (September 2021)

Commentator, Tackling Technology Facilitated Violence, Osgoode Hall Law School, York University (May 2021)

Panelist, Artificial Intelligence in Criminal Sentencing, Virginia Journal of Law & Technology Symposium, University of Virginia Law School (April 2021)

Panelist, *The Promise and Perils of Technology: Legal Strategies to Protect Communities of Color*, Fifth Annual C. Clyde Ferguson Symposium, Howard University School of Law (January 2021)

Presenter, *Artificial Intelligence & Law Colloquium*, University of California, Irvine Law School (January 2021)

Presenter, *Reckoning and Reformation: Reflections and Legal Responses to Racial Subordination and Structural Marginalization*, Duke University School of Law (December 2020)

Invited Lecturer, *Big Ten Lecture Series on Race and the Law*, Indiana University Maurer School of Law (October 2020)

Panelist, *The 24<sup>th</sup> Annual Berkeley Technology Law Journal Symposium*, University of California Berkeley Law School (February 2020)

Panelist, *Law Review Symposium: Mass Incarceration as a Chronic Condition: Diagnosis, Prognosis, and Treatment*, University of Minnesota (November 2019)

Panelist, *Legal and Policy Frameworks for Understanding the Impact of Race & Technology*, 2019 Critical Race & Digital Studies Conference, New York University (June 2019)

Panelist, *Progress and Challenges in Criminal Justice and National Security*, New York University School of Law (April 2019)

Presenter, *Department of African American Studies Faculty Graduate Seminar*, Princeton University (November 2018)

Commentator, *Carceral Logics, Carceral Shadows, Shadow of the Prison: Fifth Annual Students for Prison Education and Reform Conference*, Princeton University (April 2018)

Commentator, *Unintended: The Promises and Perils of Criminal Justice Reform*, Law Engaged Graduate Students Symposium, Princeton University (March 2018)

Rutgers Institute for Information Policy and Law, Rutgers University Law School (September 2017)

Panelist, *I/S: A Journal of Law and Policy for the Information Society*, *Predictive Analytics, Law, and Policy: Mapping the Terrain*, The Ohio State Moritz College of Law (March 2017)

Panelist, *Law Review Symposium: Offenders in the Community: Reshaping Sentencing and Supervision*, University of Minnesota Law School (October 2014)

Panelist, *Black Policy Conference*, *Smart on Crime: The Obama Administration's "Answers" to the Mass Incarceration Crisis*, Harvard Kennedy School (April 2014)

Panelist, American Constitution Society Northeastern Regional Conference, The Future of Equality: Mass Incarceration, Harvard Law School (November 2013)

Invited Speaker, Association of Criminal Justice Research (California), Semi-Annual Meeting, Irvine, CA (October 2013)

Panelist, Law Review Symposium, Exploding Prison Population and Drug Offenders: Rethinking State Drug Sentencing, Valparaiso University Law School (November 2012)

## **RESEARCH & TEACHING INTERESTS**

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Criminal Law; Criminal Procedure; Punishment in Theory & Practice; Federal Sentencing Law; Evidence; Crime Policy, Technology and the Law; Race, Technology, and the Law

## **COURSES TAUGHT**

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### INDIANA UNIVERSITY MAURER SCHOOL OF LAW

Evidence (Spring 2016, Spring 2017, Spring 2019, Spring 2020)

Criminal Law (Fall 2016, Spring 2019, Spring 2021)

Punishment in Theory & Practice (Fall 2018, Spring 2020, Fall 2020, Fall 2021)

Federal Sentencing Law (Fall 2015, Fall 2016)

### YALE COLLEGE

Mass Incarceration in the United States (Spring 2014) (with Lauren-Brooke Eisen)

### CALIFORNIA WESTERN SCHOOL OF LAW

Federal Sentencing Law (Spring 2012, Spring 2013)

Civil Rights Law (Fall 2011, Fall 2012)

## **SERVICE & PROFESSIONAL ACTIVITIES**

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### INDIANA UNIVERSITY MAURER SCHOOL OF LAW COMMITTEES

- Appointments Committee (2019-2020; 2020-2021; 2021-2022)
- Policy Committee (2020-2021)
- Ad Hoc Committee re: Policy Committee (2018-2019)
- Career Services Committee (2018-2019)
- Education Policy Committee (2016-2017)
- Faculty Development Committee (2015-2016)

### PROFESSIONAL MEMBERSHIPS

- Member, American Bar Association, Criminal Law Section
- Critical Race & Digital Studies Affiliate
- JOTWELL Criminal Law Section Contributing Editor
- Program Committee, Artificial Intelligence, Ethics & Society Conference, 2021
- Member, Uber Technologies, Inc. Safety Advisory Board, 2015 – 2019

- U.S. Court of Appeals for the Sixth Circuit

**BAR ADMISSION**

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New York



