

Avlana K. Eisenberg

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ACADEMIC APPOINTMENTS

FLORIDA STATE UNIVERSITY COLLEGE OF LAW, Tallahassee, FL

Gary & Sally Pajcic Professor (2020 – present)

Associate Professor of Law with Tenure (2020 – present)

Assistant Professor of Law (2015 – 2020)

- Courses: Criminal Law, Criminal Procedure, Prison Law and Policy, Criminal Justice Reform
- Service: Appointments Committee, Curriculum Committee, Admissions Committee, Clerkship Committee, Faculty Enrichment Committee

HARVARD LAW SCHOOL, Cambridge, MA

Visiting Professor (2019)

- Course: Prison Law and Policy

BOSTON COLLEGE LAW SCHOOL, Newton, MA

Visiting Professor (2018)

- Courses: Criminal Procedure, Criminal Justice Incentives and the Prison Industry

HARVARD LAW SCHOOL, Cambridge, MA

Edmond J. Safra Center for Ethics Fellow (2013 – 2015)

Climenko Fellow and Lecturer on Law (2011 – 2013)

SELECTED PUBLICATIONS

Policing the Danger Narrative, __ JOURNAL OF CRIMINAL LAW & CRIMINOLOGY __
(forthcoming 2023)

Prisoner Narratives, __ OKLAHOMA LAW REVIEW __ (forthcoming 2022) (invited)

A Trauma-Centered Approach to Addressing Hate Crimes, __ JOURNAL OF CRIMINAL LAW &
CRIMINOLOGY __ (forthcoming 2022) (invited)

Discontinuities in Criminal Law, 22 THEORETICAL INQUIRIES IN LAW 137 (2021) (invited)

The Prisoner and the Polity, 95 NEW YORK UNIVERSITY LAW REVIEW 1 (2020)

- Selected for Yale/Stanford/Harvard Junior Faculty Forum

Criminalizing Hate: Legal Frameworks and Enforcement Challenges in the United States, 132
ZEITSCHRIFT FÜR DIE GESAMTE STRAFRECHTSWISSENSCHAFT 644 (2020) (invited)

Mass Monitoring, 90 SOUTHERN CALIFORNIA LAW REVIEW 123 (2017)

Incarceration Incentives in the Decarceration Era, 69 VANDERBILT LAW REVIEW 71 (2016)

Criminal Infliction of Emotional Distress, 113 MICHIGAN LAW REVIEW 607 (2015)

Expressive Enforcement, 61 UCLA LAW REVIEW 858 (2014)

SELECTED COMMENTARY

The federal trial of Ahmaud Arbery's killers shows the limits of hate-crime laws, WASHINGTON POST, Feb. 25, 2022

Hate-Crime Laws Don't Work as Their Supporters Intended, THE ATLANTIC, June 22, 2021

SELECTED MEDIA

Hannah Knowles, *Racist Slurs, Violent Messages: How Arbery's Killers Talked About Black People*, WASHINGTON POST, Feb. 16, 2022

Hannah Knowles, *Jury Selection in Arbery Killers' Federal Trial Probes Beliefs on Race, Hate Crimes — And the Murder*, WASHINGTON POST, Feb. 9, 2022

Jaeah Lee, *Why Was Vicha Ratanapakdee Killed?*, N.Y. TIMES, Aug. 17, 2021

Editorial, *Unprosecuted Hate Crimes*, N.Y. TIMES, Aug. 14, 2012

WORKS IN PROGRESS

Decarceration Philanthropy

Crime Exceptionalism and the Punitive Instinct

The Incoherence of Police Fear [with Seth Stoughton]

PROFESSIONAL ACTIVITIES AND BAR ADMISSIONS

Member, American Law Institute

Peer Reviewer, National Conference on Higher Education in Prison

Peer Reviewer, Yale Law Journal

Member, Law & Society Association

Member, California State Bar

EDUCATION

STANFORD LAW SCHOOL, Stanford, CA, Juris Doctorate, with Distinction

- *Stanford Law Review* Book Review Editor
- Public Interest Law Foundation Award; Pro Bono Distinction; University Judicial Panel
- Research Assistant: Professor Lawrence Lessig; Professor Deborah Rhode

- Teaching Assistant: Professor Lawrence Friedman; Professor Robert Reich

YALE UNIVERSITY, New Haven, CT, Bachelor of Arts, *magna cum laude*, Humanities

- V. Browne Irish Prize for most outstanding contribution to the performing arts
- Silliman Symphony founder and music director

SELECTED PRESENTATIONS

Policing the Danger Narrative, Law of the Police Conference, University of South Carolina School of Law (June 2022)

Community-Based Responses to Hate Crimes, New York Law School, Remote (June 2022) (invited)

A Trauma-Centered Approach to Addressing Hate Crimes, Journal of Criminal Law & Criminology Symposium, Remote (April 2022) (invited)

Towards Prisoner as Future Neighbor, University of Oklahoma Law Review Symposium, Remote (February 2022) (invited)

Policing the Danger Narrative, ABA Criminal Justice Section Roundtable, Remote (November 2021) (invited)

The Prisoner and the Polity, Temple Law Faculty Colloquium, Remote (October 2021) (invited)

A Trauma-Centered Approach to Addressing Hate Crimes, Hate Crimes Advisory Council Practicum, University of Connecticut Law School, Remote (November 2021) (invited)

The New Prison Philanthropy, ABA Criminal Justice Section Roundtable, Remote (November 2020) (invited)

Police Narratives, CrimFest, Criminal Law & Procedure Faculty Conference, Remote (July 2020)

Discontinuities in Criminal Law, Cegla Center for Interdisciplinary Research, Tel-Aviv University School of Law, Tel-Aviv, Israel (December 2019) (invited)

“Tough Beats”: *Policing Streets and Prisons*, ABA Criminal Justice Section Roundtable, Washington D.C. (November 2019) (invited)

Criminalizing Hate: Legal Frameworks and Enforcement Challenges in the United States, Society of Comparative Law, Criminal Justice Section, Greifswald, Germany (September 2019) (invited)

Policing Prisons, CrimFest, Criminal Law & Procedure Faculty Conference, New York, NY (July 2019)

The Prisoner and the Polity, Faculty Workshop, Fordham Law School, New York, NY (April 2019) (invited)

Policing Prisons, ClimenkoFest, Harvard Law School, Cambridge, MA (March 2019)

Policing Prisons, UCLA Prison Law Roundtable, Los Angeles, CA (February 2019) (invited)

The New Prison Philanthropy, Faculty Workshop, University of Maine Law School, Portland, ME (November 2018) (invited)

- New Movements for Bail Reform*, George Barrett Social Justice Program Conference, Vanderbilt University Law School, Nashville, TN (October 2018) (invited)
- The Prisoner and the Polity*, Junior Faculty Works-in-Progress Conference, Chapman University School of Law, Orange, CA (September 2018) (invited)
- Funding Prison Reform*, CrimFest, Criminal Law & Procedure Faculty Conference, New York, NY (July 2018)
- The Prisoner and the Polity*, Harvard/Yale/Stanford Junior Faculty Forum, Harvard Law School, Cambridge, MA (June 2018) (invited)
- The Prison-Educational Complex*, Faculty Speaker Series, University of Houston Law Center, Houston, TX (January 2018) (invited)
- The Prison-Educational Complex*, Faculty Colloquium, Boston College Law School, Newton, MA (October 2017) (invited)
- Prisons and Pedagogy*, American Association of Law Schools Mid-Year Meeting, Washington DC (June 2017)
- Mass Monitoring*, Faculty Workshop, Emory Law School, Atlanta, GA (March 2017) (invited)
- Crime and the Constitution* (panelist), Constitutionally Speaking/University of New Hampshire School of Law Symposium, Concord, NH (October 2016) (invited)
- Looking Forward: Criminal Law's Role*, Southeastern Association of Law Schools Conference, Amelia Island, FL (August 2016) (invited)
- Mass Monitoring*, Southeastern Junior-Senior Scholars Workshop, Tuscaloosa, AL (November 2015)
- Capital Punishment and Innocence*, Wrongful Convictions Conference, Northeastern University School of Law, Boston, MA (September 2015) (invited)
- Mass Monitoring*, CrimFest, Criminal Law & Procedure Faculty Conference, New York, NY (July 2015)
- Incarceration Incentives in the Decarceration Era*, Tel-Aviv University School of Law, Tel-Aviv, Israel (January 2015) (invited)
- Incarceration Incentives*, CrimFest, Criminal Law & Procedure Faculty Conference, Newark, NJ (July 2014)
- Incarceration Governance: Tailoring Criminal Justice Reform to Public and Private Prison Industry Incentives*, The European Consortium for Political Research Conference, Barcelona, Spain (June 2014) (invited)
- Prison Industry Resistance in the Decarceration Era*, Institute for Social Research, National Autonomous University of Mexico (UNAM), Mexico City, Mexico (June 2014) (invited)
- Criminal Infliction of Emotional Distress*, Southern Methodist University School of Law Criminal Justice Colloquium, Dallas, TX (January 2014) (invited)
- Incarceration Incentives*, Edmond J. Safra Center for Ethics Seminar, Cambridge, MA (December 2013)
- Expressive Enforcement*, Harvard Law School Workshop, Cambridge, MA (July 2013)

Criminal Infliction of Emotional Distress, International Conference on Law & Society, Boston, MA (June 2013)

Expressive Enforcement, International Conference on Law & Society, Honolulu, HI (June 2012)

PROFESSIONAL EXPERIENCE

Jenner & Block LLP, Associate, Washington, DC 2004-2006

- Practice included appellate and Supreme Court litigation and work with Content, Media, and First Amendment practice group
- Pro bono involvement included criminal defense, family law, human trafficking, and disability cases

Public Defender Service, Pro Bono Fellow, Washington, DC Fall/Winter 2004

- Recipient of Jenner & Block's Public Interest Fellowship
- Assisted clients in parole revocation hearings and first-degree felony trials

American Civil Liberties Union, Public Interest Fellow, Los Angeles, CA Summer 2002

- Monitored confinement conditions and provision of medical services to jail inmates
- Researched and briefed motions for education equity case (*Williams v. CA*) and consent decree between Los Angeles Police Department and Department of Justice

OTHER RESEARCH AND TEACHING EXPERIENCE

University of Michigan Department of Sociology, Ann Arbor, MI 2009-2010
Taught section of Criminology course; mentored pre-law students

Stanford University Department of Political Science, Stanford, CA 2002-2004
Lead teaching assistant for Prof. Lawrence Friedman's course: Introduction to American Law; taught sections of courses: Children's Citizenship: Justice Across Generations; International Law

Professor Deborah Rhode, Stanford, CA 2003-2004
Developed curriculum for interdisciplinary ethics course; conducted research for anthology, *GENDER AND RIGHTS* (Ashgate Publishers, 2005)

Professor Lawrence Lessig, Stanford, CA 2001-2002
Assisted in preparation of briefs in *Eldred v. Ashcroft*, 537 U.S. 186 (2003)