

JUSTIN MURRAY
New York Law School
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ACADEMIC APPOINTMENTS

New York Law School, New York, NY 2019-Present
Associate Professor of Law; Co-Director, Criminal Justice Institute
Courses: Criminal Law; Criminal Procedure: Adjudication; Constitutional Law; Race, Bias, and Advocacy (cotaught)
Service: Co-Director, Criminal Justice Institute (2021-present); Faculty Workshop Committee (2021-present); Adjunct Faculty Committee (2019-21); Otto Walter Award committee (2023)
Honors: Otto Walter Award for *Policing Procedural Error in the Lower Criminal Courts* (voted best article by a full-time faculty member)

Harvard Law School, Cambridge, MA 2017-2019
Climenko Fellow and Lecturer on Law
Courses: Legal Research and Writing

EDUCATION

Georgetown University Law Center, J.D. 2010
Magna cum laude; Order of the Coif; *Georgetown Law Journal*, Executive Articles Editor; First place, Luke Charles Moore Moot Court Competition

Harvard University, A.B. in Government 2007
Magna cum laude; *Phi Beta Kappa*; Eric Firth Prize (voted best thesis on democratic ideals); *Harvard Political Review*; Harvard Square Homeless Shelter

SELECTED PUBLICATIONS

Preface: New Directions in Prosecutorial Reform, 60 AM. CRIM. L. REV. 1369 (2023) (with Miriam Aroni Krinsky & Maybell Romero) (preface to symposium on “Reform-Minded Prosecution” held at Georgetown Law)

The Procedural Architecture of Mass Incarceration, in MASS INCARCERATION IN THE 21ST CENTURY 17 (Routledge, eds. Addrain Conyers et al. 2023)

Prosecutorial Nonenforcement and Residual Criminalization, 19 OHIO ST. J. CRIM. L. 391 (2022) (peer evaluated) (symposium essay)

CRIMINAL PROCEDURE: ADJUDICATION (ChartaCourse 2021)

Policing Procedural Error in the Lower Criminal Courts, 89 FORDHAM L. REV. 1411 (2021)

- Received Otto Walter Award (voted best article by full-time NYLS faculty)

Prejudice-Based Rights in Criminal Procedure, 168 U. PENN. L. REV. 277 (2020)

A Contextual Approach to Harmless Error Review, 130 HARV. L. REV. 1791 (2017)

- Cited by *Weaver v. Massachusetts*, 137 S. Ct. 1899 (2017) and other opinions

OTHER WRITING AND WORKS IN PROGRESS

Prosecutorial Discretion and the Myth of Individualized Enforcement (in progress)

Municipal Prosecutors and Broken Windows Enforcement (in progress) (with Carissa Byrne Hessick)

Book Review, CRIM. L. & CRIM. JUST. BOOKS (2022) (reviewing PROGRESSIVE PROSECUTION: RACE AND REFORM IN CRIMINAL JUSTICE (eds. Kim Taylor-Thompson & Anthony Thompson 2022)), <https://cljbooks.rutgers.edu/books/progressive-prosecution-race-and-reform-in-criminal-justice/>

Book Review, 69 J. LEGAL EDUC. 814 (2020) (reviewing EMILY BAZELON, CHARGED: THE NEW MOVEMENT TO TRANSFORM AMERICAN PROSECUTION AND END MASS INCARCERATION (2019))

Disentangling the Ethical and Constitutional Regulation of Criminal Discovery, HARV. L. REV. BLOG (June 15, 2018) (with John Greabe)

Redefining Strickland Prejudice after Weaver v. Massachusetts, HARV. L. REV. BLOG (May 22, 2018) (with Eve Brensike Primus)

Guest contributor for *PrawfsBlawg* (May 2018)

IN SEARCH OF COMMON GROUND ON ABORTION: FROM CULTURE WAR TO REPRODUCTIVE JUSTICE (Ashgate 2014) (coeditor, with Robin West & Meredith Esser)

Reimagining Criminal Prosecution: Toward a Color-Conscious Professional Ethic for Prosecutors, 49 AM. CRIM. L. REV. 1541 (2012)

Exposing the Underground Establishment Clause in the Supreme Court's Abortion Cases, 23 REGENT U. L. REV. 1 (2010) (student article)

JUDICIAL CLERKSHIPS

Judge Paul Niemeyer, U.S. Court of Appeals, Fourth Circuit, Baltimore, MD 2011-2012

Judge Alexander Williams, Jr., U.S. District Court of Maryland, Greenbelt, MD 2010-2011

OTHER LEGAL EXPERIENCE

Office of the Illinois Attorney General, Consumer Fraud Bureau, Chicago, IL 2016-2017
Assistant Attorney General

Public Defender Service, Appeals Division, Washington, DC 2012-2016
Assistant Public Defender

PROFESSIONAL ASSOCIATIONS AND SERVICE

Chair Elect, Association of American Law Schools Criminal Procedure Section (2022-present)

Planning committee, Decarceration Law Professors (2022-present) (with Ngozi Okidegbe, India Thusi, Jamelia Morgan & Jessica Eaglin)

Leadership team, Markelloquium (2021-present) (with Michael Cahill & Brenner Fissell) (colloquium series for criminal law and procedure scholarship, named after the late Prof. Dan Markel)

Faculty collaborator, Accountability NY (2021-present)

- Partnered with 6 other professors and Civil Rights Corps in filing dozens of professional ethics grievances against New York City prosecutors whom courts found had committed misconduct
- Helped raise public awareness through press reporting by the *New York Times*, *WNYC*, and other sources
- Filed lawsuit as co-plaintiff against state and city officials who retaliated against Accountability NY members, resulting, so far, in a court opinion¹ vindicating our rights and the rights of others to shine a light on the state's attorney grievance procedures

Advisory Board, Criminal Law and Criminal Justice Books (2022-present)

PRESENTATIONS, ACADEMIC EVENTS, AND PEER REVIEW

Colloquium co-organizer, Markelloquium (helped plan a series of 11 colloquia held at either NYLS, Brooklyn Law, Penn Law, and NYU Law between Oct. 2021 and Sept. 2023) (with Michael Cahill & Brenner Fissell)

Municipal Prosecutors and Broken Windows Enforcement: workshop, CrimFest, Brooklyn Law School, July 2023; workshop, Decarceration Law Professors Virtual Works-in-Progress Workshop, July 2023; workshop, Criminal Justice Ethics Schmooze, Fordham Law School, June 2023

Workshop co-organizer, Decarceration Law Professors Virtual Works-in-Progress Workshop, July 2023 (with Ngozi Okidegbe, India Thusi, Jamelia Morgan & Jessica Eaglin)

Prosecutorial Discretion and the Myth of Individualized Enforcement: workshop, Criminal Justice Reform Workshop Series, Deason Criminal Justice Reform Center, SMU Dedman School of Law, Mar. 2023; roundtable, ABA Criminal Justice Section Academic Roundtables, Dec. 2022; panelist, Symposium on Reform-Minded Prosecution, panel on Evolving Prosecutorial Discretion, Georgetown University Law Center, Oct. 2022; workshop, CrimFest, Cardozo School of Law, July 2022; workshop, Criminal Justice Ethics Schmooze, New York Law School, June 2022

¹ Civil Rights Corp. v. Pestana, No. 21 CIV. 9128 (VM), 2022 WL 2118191 (S.D.N.Y. June 13, 2022).

PRESENTATIONS, ACADEMIC EVENTS, AND PEER REVIEW (CONT'D)

Event co-organizer, Looking for Innocence: Working Together—The Collaboration Between New York Law School and the Suffolk County Prosecutor, New York Law School, Apr. 2023

Event co-organizer, Celebrating 60 Years of *Gideon v. Wainwright*, New York Law School, Apr. 2023

Event co-organizer, Out of Sight, Out of Mind: Humanitarian Crisis at Rikers Island, New York Law School, Apr. 2023

Faculty workshop, *The Procedural Architecture of Mass Incarceration*, New York Law School, Mar. 2023

Panelist, Symposium on *Dobbs* and Democracy, panel on State Constitutions and Prosecutorial Discretion in a Post-*Dobbs* World, University of Virginia School of Law, Feb. 2023

Panelist & Co-organizer, Criminal Justice Debt: Fines, Fees, and the Criminalization of Poverty, New York Law School, Nov. 2022

Symposium co-organizer, Symposium on Reform-Minded Prosecution, Georgetown University Law Center, Oct. 2022 (with Maybell Romero, the *American Criminal Law Review*, & Fair & Just Prosecution)

Moderator, Symposium on Reform-Minded Prosecution, panel on Pushback to Reform, Georgetown University Law Center, Oct. 2022

Moderator, CrimFest, panel on Individualization and Discretion, Cardozo School of Law, July 2022

Conference co-organizer, Criminal Justice Ethics Schmooze, New York Law School, June 2022 (with Rebecca Roiphe)

Prosecutorial Nonenforcement and Residual Criminalization: Sixth Annual Legal Ethics Conference, California Western Law School, May 2022; faculty workshop, Rutgers Law School, Feb. 2022; faculty workshop, New York Law School, Sept. 2021; workshop, CrimFest, July 2021; workshop, Decarceration Law Professors Virtual Works-in-Progress Workshop, July 2021; workshop, Understanding Drug Sentencing Symposium Workshops, Ohio State University Drug Enforcement and Policy Center & Arizona State University Academy for Justice, June 2021; workshop, Criminal Justice Ethics Schmooze, Fordham University School of Law, June 2021; workshop, Virtual Crim Workshop, University of Virginia School of Law & University of North Carolina School of Law, May 2021

Moderator, The Supreme Court Confirmation Hearing of Judge Ketanji Brown Jackson, New York Law School, Mar. 2022

Event co-organizer, The Hidden World of Misdemeanor Criminal Justice, New York Law School, Mar. 2022

Interview with Robert Tsai, Challenging the Discriminatory Administration of the Death Penalty After *McCleskey v. Kemp*, New York Law School, Jan. 2022

PRESENTATIONS, ACADEMIC EVENTS, AND PEER REVIEW (CONT'D)

Moderator, Panelist, & Co-Organizer, Dissecting the Kyle Rittenhouse Trial and Verdict: A Discussion with Professor Justin Murray, New York Law School, Nov. 2021

Panelist, Supreme Court Term Preview, New York Law School, Oct. 2021

Presentation, *Harmless Error Litigation in Federal Practice*, Appellate Practice Seminar, Office of the Federal Public Defender, Central District of California, May 2021

Interview with Jonathan Rapping, Public Defenders and the Imperative to Rewrite America's Criminal Justice Narrative, New York Law School, Apr. 2021

Interview with Jeffrey Deskovic, I'm that Exoneree Who Is Also a Lawyer, New York Law School, Mar. 2021

Presentation, *Anti-Racist Law School Teaching: Criminal Law*, Law School Anti-Racism Consortium, Jan. 2021

Progressive Prosecution in the Context of Structural Racism: roundtable, ABA Criminal Justice Section Academic Roundtables, Nov. 2020; panelist, Southeastern Association of Law Schools conference, panel on Differing Visions of State and Local Prosecution, Aug. 2020

Policing Procedural Error in the Lower Criminal Courts: workshop, Criminal Justice Reform Workshop Series, Deason Criminal Justice Reform Center, SMU Dedman School of Law, Nov. 2020; faculty workshop, New York Law School, Oct. 2020; workshop, Decarceration Law Professors Virtual Works-in-Progress Workshop, July 2020; workshop, CrimWip, Northern Illinois University College of Law, July 2020; workshop, Crim Works in Progress Series, Center for Science and Justice, Duke Law School, June 2020; roundtable, ABA Criminal Justice Section Academic Roundtables, Nov. 2019; workshop, CrimFest, Brooklyn Law School, July 2019

Interview with Aya Gruber, *The Feminist War on Crime: The Unexpected Role of Women's Liberation in Mass Incarceration*, New York Law School, Oct. 2020

Panelist, Supreme Court Term Preview, New York Law School, Oct. 2020

Panelist & Co-organizer, Breonna Taylor Q&A Space for Students, New York Law School, Oct. 2020

Prejudice-Based Rights in Criminal Procedure: presentation, University of Pennsylvania Carey Law School, Mar. 2020; podcast interview, *Ipse Dixit: A Podcast on Legal Scholarship*, Jan. 2020; faculty workshop, Penn State Law (University Park), Jan. 2019; faculty workshop, SMU Dedman School of Law, Nov. 2018; faculty workshop, Georgetown University Law Center, Oct. 2018; faculty workshop, New York Law School, Oct. 2018; roundtable, Loyola University Chicago School of Law, Sept. 2018; faculty workshop, University of Kentucky College of Law, Sept. 2018; roundtable, University of Denver College of Law, Aug. 2018; workshop, CrimFest, Cardozo School of Law, July 2018; workshop, Regional Junior Faculty Workshop, New England School of Law, Feb. 2018; workshop, Climenko Fellows workshop series, Harvard Law School, Aug. 2017

Interview with Maurice Possley, *Conviction at Any Cost*, New York Law School, Feb. 2020

PRESENTATIONS, ACADEMIC EVENTS, AND PEER REVIEW (CONT'D)

Moderator & Co-Organizer, Criminal Procedure Reform in New York: A Conversation, New York Law School, Nov. 2019

Panelist & Co-Organizer, The ABCs of Impeachment, New York Law School, Oct. 2019

Workshop, Climenko Fellows workshop series, Harvard Law School, Declaring Law and Harmless Error Review, Apr. 2018

A Contextual Approach to Harmless Error Review: faculty workshop, University of New Hampshire School of Law, Sept. 2017; faculty workshop, Northern Illinois University College of Law, Nov. 2016

Requests for peer review: *Harvard Law Review*; *Yale Law Journal*

BAR ADMISSIONS

Illinois (2011); District of Columbia (2013); U.S. Court of Appeals for the Fourth Circuit (2011)