

## JEFFREY BELLIN

William & Mary Law School ♦ 613 South Henry Street ♦ Williamsburg, VA 23185  
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### Academic Appointments

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**William & Mary Law School** 2012 - present  
Mills E. Godwin, Jr., Professor of Law

**Awards:**

- [Walter Williams Jr. Memorial Teaching Award](#) (2023, 2014) (vote of graduating class)
- Cabell Research Professorship (2015, 2016, 2022)
- Engh Research Professorship (2023); Scott Research Professorship (2019, 2021)
- University Professor for Teaching Excellence (2017-2020)
- [McGlothlin Faculty Teaching Award](#) (2018)
- Plumeri Award for Faculty Excellence (2015)
- [Outstanding Faculty Award](#), State Council of Higher Education (2019)\*

\*The Outstanding Faculty Award is “the Commonwealth’s highest honor for faculty at Virginia’s public and private colleges and universities.”

<b>Recent Major Service:</b>	Appointments Committee (Chair 2017-2018)	2015-23
	Athletics Policy Advisory Committee	2019-22
	SCHEV Award Nominations Committee and Coach	2020, 2023
	Jefferson Teaching Awards Committee	2020, 2022
	McGlothlin Teaching Award Selection Committee	2018-20
	Creator and Cohost of Law School “ <a href="#">Office Hours</a> ” Podcast	2018
	Clerkship Committee Chair	2016-17

### Southern Methodist University Law School

Assistant Professor 2009-2012  
2012 Don M. Smart Teaching Award for Excellence in Teaching (vote of graduating class)

**University of Seattle Law School** Summer 2018  
Visiting Professor

**University of San Diego Law School** Summer 2013-15, 2017  
Visiting Professor

**Courses Taught:** Evidence, Criminal Law/Procedure, Criminal Justice, Mass Incarceration, Prof. Responsibility

### Academic Writing

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#### Books

[MASS INCARCERATION NATION: HOW THE UNITED STATES BECAME ADDICTED TO PRISONS AND JAILS AND HOW IT CAN RECOVER](#) (Cambridge University Press 2023)

[THE LAW OF EVIDENCE](#) (2021) (widely adopted low-cost casebook)

[CRIMINAL PROCEDURE: CONSTITUTIONAL LIMITS ON POLICING](#) (2023) (low-cost casebook) (w Adam Gershowitz)  
Volume 30B (Hearsay), FED. PRACTICE & PROC. (“Wright & Miller”) (2017)

THE VIRGINIA AND FEDERAL RULES OF EVIDENCE: A CONCISE COMPARISON WITH COMMENTARY (2015)

## Selected Articles / Essays

- The Superfluous Rules of Evidence*, 76 VANDERBILT L. REV. (forthcoming 2023) (essay)
- Sentencing in an Era of Plea Bargains*, 102 NORTH CAROLINA L. REV. (forthcoming 2023) (with Jenia Turner)
- Plea Bargaining's Uncertainty Problem*, 101 TEXAS L. REV. 539 (2023)
- A World without Prosecutors*, 13 CALIF. L. REV. ONLINE 1 (2022) (essay)
- Pure Privacy*, 116 NORTHWESTERN UNIV. L. REV. 463 (2021)
- The Evidence Rules that Convict the Innocent*, 106 CORNELL L. REV. 305 (2021)
- The Modest Impact of the Modern Confrontation Clause*, 89 TENN. L. REV. 67 (2021) (with Diana Bibb)
- Theories of Prosecution*, 108 CALIF. L. REV. 1203 (2020)
- Defending Progressive Prosecution*, 39 YALE L. & POLICY REV. 218 (2020) (review essay)
- Expanding the Reach of Progressive Prosecution*, 110 J. CRIM. L. & CRIMINOLOGY 707 (2020) (essay)
- The Changing Role of the American Prosecutor*, 18 OHIO ST. J. CRIM. L. 329 (2020) (presentation to elected DAs)
- Fourth Amendment Textualism*, 118 MICH. L. REV. 233 (2019)
- The Power of Prosecutors*, 94 N.Y.U. L. REV. 171 (2019)
- Policing the Admissibility of Body Camera Evidence*, 87 FORDHAM L. REV. 1425 (2019) (with Shevarma Pemberton)
- Reassessing Prosecutorial Power through the Lens of Mass Incarceration*, 116 MICH. L. REV. 835 (2018) (review essay)
- The Silence Penalty*, 103 IOWA L. REV. 395 (2018)
- The Right to Remain Armed*, 93 WASHINGTON UNIV. L. REV. 1 (2015)
- Trial by Google: Judicial Notice in the Inf. Age*, 108 NORTHWESTERN UNIV. L. REV. 1137 (2014) (with Andrew Ferguson)
- The Inverse Relationship between the Constitutionality and Effectiveness of NYC 'Stop and Frisk'*, 94 BOSTON U. L. R. 1495 (2014)
- The Case for eHearsay*, 83 FORDHAM L. REV. 1317 (2014) (essay)
- Attorney Competence in Age of Plea Bargaining and Econometrics*, 12 OHIO ST. J. CRIM. L. 153 (2014) (essay)
- Presentation to the Advisory Committee on the Federal Rules of Evidence*, 83 FORDHAM L. REV. 1163 (2014)
- eHearsay*, 98 MINNESOTA L. REV. 7 (2013)
- Facebook, Twitter, and the Uncertain Future of Present Sense Impressions*, 160 UNIV. PENN. L. REV. 331 (2012)
- The Incredible Shrinking Confrontation Clause*, 92 BOSTON UNIV. L. R. 1865 (2012)
- Applying Crawford's Confrontation Right in a Digital Age*, 45 TEX. TECH. L. REV. 33 (2012) (essay)
- Crime-Severity Distinctions and the Fourth Amendment*, 97 IOWA L. REV. 1 (2011)
- Widening Batson's Net*, 96 CORNELL L. REV. 1075 (2011) (with Junichi Semitsu)
- Is Punishment Relevant After All?* 90 BOSTON UNIV. L. REV. 2223 (2010)
- Reconceptualizing the Fifth Amendment Prohibition of Adverse Comment on Silence*, 71 OHIO ST. L.J. 229 (2010)

## Professional Appointments

<b>American Law Institute</b> Elected Member	2022-present
<b>U.S. Courts of Appeals for the Fourth and D.C. Circuits</b> Appointed Special Counsel to investigate judicial misconduct complaints	2014-15 and 2017-18
<b>American Assn. of Law Schools' Section on Evidence: Exec. Committee</b>	2015-2020
<b>Member of the California Bar</b>	2000-present

## Legal Work Experience

<b>California Courts of Appeal</b> San Diego, CA <i>Senior Appellate Court Attorney,</i>	2005-2009
<b>Latham &amp; Watkins</b> San Diego, CA <i>Litigation Associate</i>	2003-2005
<b>United States Attorney's Office</b> Washington, DC <i>Assistant United States Attorney</i>	2000-2002
<b>The Honorable Merrick B. Garland, U.S. Court of Appeals for the D.C. Circuit</b> <i>Law Clerk</i>	1999-2000

## Education

<b>Stanford Law School</b> , J.D., <i>Order of the Coif</i> , "First-Year Honor"
<b>Columbia University</b> , B.A., <i>Summa Cum Laude</i> , Departmental Honors (Political Science)

## Selected Popular Writing

WASHINGTON POST	<a href="#"><i>How the Supreme Court Can Change Politics as Usual</i></a>	January 2016
	<a href="#"><i>What the McDonnell Verdict Says About U.S. Politics</i></a>	September 2014
NBC News	<a href="#"><i>The Road to End Mass Incarceration</i></a>	January 2023
USA TODAY	<a href="#"><i>It's Too Easy to Push Minorities Off Juries</i></a>	December 2017
	<a href="#"><i>'Serial' Should Release Bergdahl Interviews</i></a>	August 2016
CNN	<a href="#"><i>The 'McConnell Principle' / The Right Justice for a Divided Country</i></a>	March / April 2016
	<a href="#"><i>America's Public Corruption Problem</i></a>	April 2015
	<a href="#"><i>A Key Lesson from the Garner and Ferguson Cases</i></a>	December 2014
	<a href="#"><i>How 'Duty to Retreat' Became 'Stand Your Ground'</i></a>	March 2012
THE CONVERSATION	<a href="#"><i>Understanding Mass Incarceration in the US</i></a>	March 2023
	<a href="#"><i>Trump's Indictment Stretches Legal System / What Trump's Charges Mean</i></a>	March / April 2023
SCOTUSBLOG	<a href="#"><i>Samia v. United States (3 part series)</i></a>	June 2023
	<a href="#"><i>Torres v. Madrid (3 part series)</i></a>	March 2021
LAW360	<a href="#"><i>We Can Ensure Public Safety and Still Reduce Incarceration</i></a>	Feb. 2023
	<a href="#"><i>How Do We Know If Prosecutors Are Doing A Good Job?</i></a>	March 2019
SLATE	<a href="#"><i>Waiting for Justice</i></a>	Feb. 2018
THE HILL	<a href="#"><i>A First Step Toward Sentencing Reform</i></a>	August 2018

## Selected Lectures and Academic Presentations (since 2019)

<b>Michele Taruffo Evidence Week</b> (Girona, Spain), <i>Plea Bargaining</i>	June 2025*
<b>University of Michigan Journal of Law Reform Symposium</b> , <i>Cranford at 20</i>	March 2024*
<b>University of Texas Law Review Symposium</b> , <i>Mercy and the Law</i>	Jan. 2024*
<b>Advisory Committee on the Federal Rules of Evidence</b> , <i>Priorities for Change</i>	Oct. 2023*
<b>“Mass Incarceration Nation”</b>	
Duke Law School, “Novel Justice” Book Series	April 2023
Podcasts: <a href="#">Decarceration Nation</a> <a href="#">New Books Network</a> <a href="#">Everyday Injustice</a>	Jan. - Feb. 2023
William & Mary Law Review Symposium	Feb. 2023
Vanderbilt Law School, Faculty Enrichment Speaker	Feb. 2022
<b>“Sentencing in an Era of Pleas”</b>	
Georgia Law School, Faculty Enrichment Speaker	Jan. 2023
ABA/AALS Criminal Justice Conference	Dec. 2022
<b>Vanderbilt Law Review Symposium</b> , <i>Reimagining the Evidence Rules</i>	Nov. 2022
<b>Pennsylvania Judicial Conference</b> , <i>Confrontation Clause</i>	Sept. 2022
<b>Judicature (Duke Law School)</b> , <i>Plea Bargaining Roundtable</i> ( <a href="#">published remarks</a> )	Aug. 2022
<b>Fordham Law School Ethics Schmooze</b>	June 2021, June 2023
<b>Northwestern Law School</b> , <i>Progressive Prosecutor Symposium</i> (lunch keynote)	March 2020
<b>“Critical Evidence Reform”</b>	
AALS Annual Meeting	Jan. 2022
Law & Society, Annual Meeting	May 2021
<b>Vanderbilt Summer Evidence Workshop</b>	
Commentator	August 2021
<i>The Evidence Rules that Convict the Innocent</i>	May 2019
<b>Unavailability Workshop</b> , <i>Casebook Selection</i>	July 2021
<b>“Excited Utterance” Podcasts</b>	
<a href="#">The Evidence Rules that Convict the Innocent</a>	Oct. 2020
<a href="#">The Silence Penalty</a> (Sept. 2017)	
<b>AALS Annual Meeting/Federalist Society</b> , <i>Fourth Amendment Textualism</i>	Jan. 2020
<b>Duke Law School</b> , <i>Criminal Justice Book Conference</i>	Jan. 2020
<b>“With Good Reason,”</b> Podcast <a href="#">interview</a> on electronic evidence: <i>Emoji in Court</i>	Jan. 2020
<b>Annual Meeting of Elected Louisiana District Attorneys</b> , <i>Just Prosecution</i>	Nov. 2019
<b>SMU Law School</b> , Faculty Enrichment	October 2019
<b>Ex Cathedra Podcast</b> , <i>Advice for Junior Scholars</i>	August 2019
<b>Iipse Dixit Podcast</b> , <i>Fourth Amendment Textualism</i>	June 2019
<b>Neighborhood Criminal Law Conference</b>	2014 - present
–regular presenter/commentator at annual event that rotates between Duke, UVA, W&M and area schools	