

JOHN F. STINNEFORD

Professor of Law

University of Florida Levin College of Law
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LAW REVIEW ARTICLES

- Is Solitary Confinement a Punishment?*, 115 NW. U. L. REV. 9 (2020)
- Experimental Punishments*, 95 Notre Dame L.Rev. 39 (2019)
- The Original Meaning of 'Cruel'*, 105 Geo. L.J. 441 (2017)
- Dividing Crime, Multiplying Punishments*, 48 U.C. DAVIS L. REV. 1955 (2015)
- Death, Desuetude, and Original Meaning*, 56 WM. & MARY L. REV. 531 (2014)
- The "Not a Search" Game*, 38 Harv. J.L. & Pub. Pol'y 17 (2014) (invited)
- The Illusory Eighth Amendment*, 63 AM.U. L. REV. 437 (2013)
- Youth Matters: Miller v. Alabama and the Future of Juvenile Sentencing*, 11 OHIO ST. J. CRIM. L. 1 (2013) (invited)
- Punishment without Culpability*, 101 J. CRIM. L. & CRIMINOLOGY 653 (2012) (invited)
- Rethinking Proportionality under the Cruel and Unusual Punishments Clause*, 97 VA. L. REV. 899 (2011)
- Evolving Away from Evolving Standards of Decency*, 23 FED. SENT. REP. 87 (2010) (invited)
- The Original Meaning of 'Unusual': The Eighth Amendment as a Bar to Cruel Innovation*, 102 NW. U. L. REV. 1739 (2008)
- Incapacitation through Maiming: Chemical Castration, the Eighth Amendment, and the Denial of Human Dignity*, 3 U. ST. THOMAS L.J. 559 (2006) (invited)
- Subsidiarity, Federalism, and Federal Prosecution of Street Crime*, 2 J. CATH. SOC. THOUGHT 495 (2005) (symposium) (peer-reviewed)

BOOK CHAPTERS

- Back to the Future of the Eighth Amendment*, in THE EIGHTH AMENDMENT AND ITS FUTURE IN A NEW AGE OF PUNISHMENT (Cambridge University Press, forthcoming).
- Law like Love like Language: The Christian Uses of Property Crime*, in CHRISTIANITY AND THE CRIMINAL LAW (Routledge, forthcoming).

EDUCATION

Harvard Law School, Cambridge, Massachusetts

J.D., *cum laude*, June 1996

- ♦ Best Oralist, Semifinal Round, *Ames Moot Court Competition*

Harvard Graduate School of Arts and Sciences, Cambridge, Massachusetts (Ph.D. program)

M.A. in English and American Literature and Language, June 1992

- ♦ *Mellon Fellowship in the Humanities*, 1990-1992. National award covered the cost of tuition and living expenses for first two years of graduate school.

University of Virginia, Charlottesville, Virginia

B.A. in English Literature *with Highest Distinction*, May 1990

- ♦ *Echols Scholar* (awarded to the top 8.5% of the entering class)
- ♦ *Dean's List* (every semester)

ACADEMIC APPOINTMENTS

Professor of Law, 2015-present, University of Florida Levin College of Law, Gainesville, Florida, University Term Professor, 2017-2019; Associate Professor of Law, 2012-2015. Assistant Professor of Law, 2009-12

Courses taught: Constitutional Law; Criminal Law; Criminal Procedure – Police Practices; Federal Criminal Law; Law and Literature Seminar; Professional Responsibility; White Collar Crime

Committee Service: Promotion & Tenure Committee (Chair 2020-21); Faculty Appointments Committee (chair 2017-18); Clerkship Committee (chair 2018-19); Faculty Development Committee; Curriculum Committee; Distance Education Committee

Visiting Scholar, Georgetown University Law Center, Center for the Constitution, Washington, D.C., Fall 2015

Associate Professor of Law, Florida Coastal School of Law, Jacksonville, Florida, 2008-2009. Assistant Professor of Law, 2007-2008

Courses taught: Constitutional Law and Religion; Criminal Law; Criminal Procedure; Federal Criminal Law; White Collar Crime

Committee Service: Curriculum Committee

Visiting Assistant Professor of Law, University of St. Thomas School of Law, Minneapolis, Minnesota, 2005-2007. Courses taught: Criminal Law; Evidence; Federal Criminal Law; Law and Religion Seminar

Assistant Professor of Lawyering Skills, University of Dayton School of Law, Dayton, Ohio, 2003-2005.

Courses taught: Legal Profession I and II; Advanced Criminal Procedure

Assistant Director, Institute for Justice Clinic on Entrepreneurship, University of Chicago Law School, Chicago, Illinois, 2000-2002. Courses taught: Entrepreneurship and the Law

PUBLIC SERVICE

Member, Florida Criminal Punishment Code Task Force, 2019-2020 (gubernatorial appointment) (tasked with reviewing, evaluating, and making recommendations regarding sentencing for and ranking of noncapital felony offenses under the Florida Criminal Punishment Code).

OTHER EMPLOYMENT

Assistant United States Attorney, Office of the United States Attorney for the Northern District of Illinois, Chicago, Illinois, 2002-2003

Associate, Winston & Strawn, Chicago, Illinois, 1997-2000. Summer Associate, 1994

Law Clerk, Judge James B. Moran, United States District Court for the Northern District of Illinois, 1996-1997

Summer Associate, Sidley & Austin, Chicago, Illinois, 1995

AWARDS AND HONORS

2019 – Scholarship cited by majority opinions in *Bucklew v. Precythe*, 139 S. Ct. 1112 (2019) (citation of law review article) and *Timbs v. Indiana*, 139 S. Ct. 682, 203 L. Ed. 2d 11 (2019) (citation of amicus brief).

2011, 2014, and 2015 - Faculty Graduation Speaker (chosen by vote of graduating class)

2011 – Winner, Association of American Law Schools Criminal Justice Section Junior Scholars Call for Papers Competition for *Rethinking Proportionality under the Cruel and Unusual Punishments Clause*, 97 VA. L. REV. 899 (2011)

2010 and 2011 – Finalist, Professor of the Year (chosen by vote of law school student body)

2008 – Selectee, Stanford/Yale Junior Faculty Forum for *The Original Meaning of 'Unusual': The Eighth Amendment as a Bar to Cruel Innovation*, 102 NW. U. L. REV. 1739 (2008)

2008 – Winner, Southeastern Association of Law Schools Call for Papers competition for *The Original Meaning of 'Unusual': The Eighth Amendment as a Bar to Cruel Innovation*, 102 NW. U. L. REV. 1739 (2008)

LECTURES, PRESENTATIONS AND SCHOLARLY ACTIVITIES

Georgetown University Law Center, American Criminal Law Review / National Association of Criminal Defense Lawyers Symposium: Prison Brake: Rethinking the Sentencing Status Quo, Washington D.C. (via Zoom) (October 20, 2020). Presented *Lenity and Constitutional Avoidance at Sentencing*.

Defense Research Institute, Retail and Hospitality Law Virtual Seminar (September 25, 2020). Presented *Are NDAs and Confidentiality Agreements Appropriate in the #MeToo Era?*.

Northwestern University Pritzker School of Law, Law Review Symposium: Rethinking Solitary Confinement, Chicago, IL (November 8, 2019). Presented *Is Solitary Confinement a Punishment?*.

George Mason University, Antonin Scalia Law School, Faculty Workshop, Washington, D.C. (April 9, 2019). Presented *Experimental Punishments*.

Notre Dame Law School, Faculty Workshop, South Bend, Indiana (February 28, 2019). Presented *Experimental Punishments*.

Annual Conference of the Southeastern Association of Law Schools, Amelia Island, Florida (August 8, 2018). Presented *Back to the Future of the Eighth Amendment* as part of a Discussion Group on “The Modern Eighth Amendment.”

National Conference of Constitutional Law Scholars, James E. Rogers College of Law, University of Arizona (March 16-17, 2018). Presented draft article *Experimental Punishments*.

University of Michigan Law School, Roundtable on the Law, Practice, and Policy of Incarceration (March 10-11, 2017). Presented draft article *Experimental Punishments*.

U.S. District Court for the Middle District of Florida, Staff Attorney Conference (November 17, 2016). Gave talk entitled *Recent Developments in Federal Criminal Law*.

University of Chicago Law School, Constitutional Law Workshop, Chicago, IL (September 26, 2016). To present draft article *The Original Meaning of “Cruel.”*

University of Miami School of Law, Constitution Day (September 15, 2016). Participated in debate on the question: *Is the Constitution Living or Dead?*

University of Florida Levin College of Law, Gainesville, FL (April 13, 2016). Presented draft article *The Original Meaning of “Cruel.”*

University of San Diego School of Law, Center for the Study of Constitutional Originalism, Hugh & Hazel Darling Foundation Originalism Works-in-Progress Conference (February 19-20, 2016). Presented draft article *The Original Meaning of “Cruel.”* Article selected in competitive submission process. Other selected authors include William Baude, Jamal Greene, Kurt Lash, John McGinnis, Jeffrey Pojanowski, Michael Rappaport, Stephen Sachs, Larry Solum, and Kevin Walsh.

Criminal Law Theory Colloquium, NYU School of Law and Brooklyn Law School, New York, NY (November 20, 2015). Presented draft article *The Original Meaning of “Cruel.”*

Catholic University of America – Columbus School of Law, Faculty Workshop, Washington, D.C. (October 21, 2015). Presented draft article *The Original Meaning of “Cruel.”*

Constitutional Law Colloquium, Georgetown Law Center, Washington, D.C. (September 21, 2015). Presented draft article *The Original Meaning of “Cruel.”*

Originalism Center Lecture, University of San Diego School of Law, San Diego, California (March 23, 2015). Presented research concerning the original meaning of the Cruel and Unusual Punishments Clause.

Annual Conference of the Southeastern Association of Law Schools, Amelia Island, Florida (August 4, 2014). Presented *Dividing Crime, Multiplying Punishments* as part of a Discussion Group on the topic of “Mercy” in the Criminal Law.

Vanderbilt Law School, Faculty Workshop, Nashville, Tennessee (April 9, 2014). Presented *Death, Desuetude, and Original Meaning*.

Federalist Society National Student Symposium, University of Florida Levin College of Law, Gainesville, Florida (March 7, 2014). Participated in panel entitled *Balancing Privacy and Security*.

University of Georgia School of Law, Faculty Workshop, Athens, Georgia (February 26, 2014). Presented *Death, Desuetude, and Original Meaning*.

Southern Methodist University Dedman School of Law Criminal Justice Colloquium (January 23, 2014). Presented *Death, Desuetude, and Original Meaning*.

University of Pennsylvania Law School, Faculty Workshop (December 4, 2013). Presented *Death, Desuetude, and Original Meaning*.

Guest Editor, OHIO STATE JOURNAL OF CRIMINAL LAW, *Symposium – Youth Matters: Miller v. Alabama and the Future of Juvenile Sentencing* (2013)

University of Florida Levin College of Law, Faculty Workshop (October 23, 2013). Presented *Death, Desuetude, and Original Meaning*

University of Florida Criminal Justice Center Junior Scholar’s Conference (March 21-22, 2013). Presented *Miranda and the Eighth Amendment: Implementation and Illusion in Constitutional Adjudication*, and provided comments on seven other papers.

Conversation with Justice Stevens, University of Florida Levin College of Law (February 5, 2013). Engaged in a public “conversation” with retired Supreme Court Justice John Paul Stevens and two other faculty members.

“Overcriminalization” Symposium, Journal Of Criminal Law & Criminology, Northwestern University Law School, Chicago, Illinois (January 27, 2012). Presented *Punishment without Culpability*.

Annual Conference of the Southeastern Association of Law Schools, Hilton Head, South Carolina (July 26, 2011). Presented *Punishment without Culpability* as part of a panel entitled *Cruel and Unusual? Exploring the Interpretation and Application of the Eighth Amendment*.

Southeast Regional Junior Faculty Working Papers Conference, University of Florida Levin College of Law, Gainesville, Florida (December 4, 2010). Presented *Rethinking Proportionality under the Cruel and Unusual Punishments Clause*.

Florida State University College of Law, Faculty Workshop, Tallahassee, Florida (March 3, 2010).
Presented *Rethinking Proportionality under the Cruel and Unusual Punishments Clause*.

Annual Conference of the Southeastern Association of Law Schools, Palm Beach, Florida (August 6, 2009). Served as moderator of the New Scholars Colloquium on Criminal Law.

Annual Conference of the Southeastern Association of Law Schools, Palm Beach, Florida (August 1, 2008). Presented *The Original Meaning of 'Unusual': The Eighth Amendment as a Bar to Cruel Innovation*. Article was a winner of the annual Call for Papers Competition.

Stanford/Yale Junior Faculty Forum, Yale Law School, New Haven, Connecticut (June 20, 2008).
Presented *The Original Meaning of 'Unusual': The Eighth Amendment as a Bar to Cruel Innovation*.

Seasongood College Visitor, University of Cincinnati College of Law, Cincinnati, Ohio (April 10, 2008).
Presented *The Original Meaning of 'Unusual': The Eighth Amendment as a Bar to Cruel Innovation* to students and faculty of the law school.

Annual Conference, Notre Dame Center for Ethics and Culture, University of Notre Dame, Notre Dame, Indiana (December 2006). Presented *Criminal Punishment in America: Modernity's Role in Vindicating and Undermining Human Dignity*.

Symposium on Exploring Alternatives to the Incarceration Crisis, University of St. Thomas School of Law, Minneapolis, Minnesota (March 2006). Presented *Chemical Castration, the Eighth Amendment, and the Denial of Human Dignity*.

Faculty Colloquium, University of St. Thomas School of Law, Minneapolis, Minnesota (January 2006),
Chemical Castration and the Denial of Human Dignity.

Villanova University Conference on Catholic Social Thought and the Law, Villanova University School of Law, Villanova, PA (October 2004). Presented *The Principle of Subsidiarity and the Federalization of Street Crime*.