

BENJAMIN LEVIN

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ACADEMIC POSITIONS

- University of Colorado Law School, *Associate Professor of Law* July 2017 – Present
Courses: Criminal Law
Criminal Procedure: Adjudicative Process
Advanced Criminal Justice
Awards: Excellence in Teaching Award (2018)
Outstanding New Faculty Member Award (2018)
- Harvard Law School, *Climenko Fellow and Lecturer on Law* July 2014 – July 2017
Courses: First-Year Legal Research and Writing
Overcriminalization and the Limits of Criminal Law
Award: HLS Student Government Teaching & Advising Award (2016)

EDUCATION

- Harvard Law School, J.D., *cum laude*, May 2011
Activities: *Civil Rights-Civil Liberties Law Review*, Executive Editor
Unbound: Harvard Journal of the Legal Left, Editor-in-Chief
Research Assistant: Professor Janet Halley, Professor Brishen Rogers
Teaching Assistant: Professor Jed Shugerman
Labor Employment Action Project
Awards: Irving Oberman Memorial Award for Law and Social Change
Summer Academic Fellow (Summers 2009 – 2011)
- Yale University, B.A., with distinction in Film Studies, May 2007
Activities: *Yale Daily News*, Film Critic
York Street Muse Literary Journal, Editor-in-Chief
Club Ice Hockey Team, Captain
Awards: National Merit Scholar

LAW REVIEW ARTICLES

- What's Wrong with Police Unions?*, 119 COLUMBIA LAW REVIEW __ (forthcoming 2020)
- Mens Rea Reform and Its Discontents*, 109 JOURNAL OF CRIMINAL LAW AND CRIMINOLOGY 491 (2019)
- The Consensus Myth in Criminal Justice Reform*, 117 MICHIGAN LAW REVIEW 259 (2018)
- Criminal Employment Law*, 39 CARDOZO LAW REVIEW 2265 (2018)
- Guns and Drugs*, 84 FORDHAM LAW REVIEW 2173 (2016)

Criminal Labor Law, 36 BERKELEY JOURNAL OF EMPLOYMENT AND LABOR LAW 43 (2016)

Inmates for Rent, Sovereignty for Sale: The Global Prison Market, 23 SOUTHERN CALIFORNIA INTERDISCIPLINARY LAW REVIEW 509 (2014)

American Gangsters: RICO, Criminal Syndicates, and Conspiracy Law as Market Control, 48 HARVARD CIVIL RIGHTS-CIVIL LIBERTIES LAW REVIEW 105 (2013)

De-Naturalizing Criminal Law: Of Public Perceptions and Procedural Protections, 76 ALBANY LAW REVIEW 1777 (2013) (invited contribution)

Made in the USA: Corporate Responsibility and Collective Identity in the American Automotive Industry, 53 BOSTON COLLEGE LAW REVIEW 821 (2012)

Blue Collar Crime: Conspiracy, Organized Labor, and the Anti-Union Civil RICO Claim, 75 ALBANY LAW REVIEW 559 (2012)

Note, *A Defensible Defense?: Reexamining Castle Doctrine Statutes*, 47 HARVARD JOURNAL ON LEGISLATION 523 (2010)

REVIEWS AND SHORTER PUBLICATIONS

De-Democratizing Criminal Law, 39 CRIMINAL JUSTICE ETHICS (forthcoming 2020) (peer reviewed; invited contribution)

Rethinking the Boundaries of “Criminal Justice”, 15 OHIO STATE JOURNAL OF CRIMINAL LAW 619 (2018) (peer reviewed; invited contribution)

Values and Assumptions in Criminal Adjudication, 129 HARVARD LAW REVIEW FORUM 379 (2016)

COLUMNS AND COMMENTARY

Elizabeth Warren’s Proposal to Imprison More Corporate Executives Is a Bad Idea, SLATE, April 4, 2019 (with Carissa Byrne Hessick)

Prosecutorial Power, Prisons, and the Problem with Wage Theft Criminalization: A Reply, ONLABOR, April 30, 2018

Rethinking Wage Theft Criminalization, ONLABOR, April 13, 2018

Dear Jeff Sessions, Prosecuting Guns More Aggressively Won’t Make Us Safer, IN JUSTICE TODAY, July 19, 2017

Criminal Employment Law, ONLABOR, April 13, 2017

It’s Time to Rethink “Violent” Crime, SALON, June 19, 2016

Obama’s Post-Prison Jobs Plan Is Not Enough, TIME, May 12, 2016

It's Worse Than Just the '94 Crime Bill, SALON, May 6, 2016

Second Circuit Drops the Ball on Workers' Rights, ONLABOR, April 27, 2016

After Friedrichs: Exclusive Representation and Workplace Democracy, CASETEXT, April 4, 2016

Free Riding and Friedrichs, ONLABOR, January 13, 2016

N.L.R.B. Missed Shot by Declining Jurisdiction in Northwestern Football Case for "Stability", ONLABOR, August 20, 2015

MEDIA & PRESS APPEARANCES (SELECTED)

"Benjamin Levin on Mens Rea Reform," IPSE DIXIT PODCAST, April 30, 2019 (podcast interview)

Chris Outcalt, *Judge: Sentence Requested by Government "Absurd"*, LAW WEEK COLORADO, July 30, 2018 (interview)

Noah Berlatsky, *Striking a Balance*, WE STAND UP, April 30, 2018 (interview and discussion of scholarship)

"Beware Carceral Gun Control," THE DIG, October 6, 2017 (podcast interview)

Doug Chartier, *Supreme Court Upholds 'Tactical' Tool for Criminal Defendants*, LAW WEEK COLORADO, September 18, 2017 (interview)

Joshua Vaughn, *Beyond Bars: The Economic Impacts of the Criminal Justice System*, THE SENTINEL (PA), July 16, 2017 (interview)

Daniel Denvir, *A Better Gun Control*, JACOBIN, September 15, 2016 (interview and discussion of scholarship)

Joshua Vaughn, *Color of Crime: The Ongoing Consequences of Crime*, THE SENTINEL (PA), May 23, 2016 (interview)

Alex Gourevitch, *Gun Control's Racist Reality: The Liberal Argument Against Giving Police More Power*, SALON, June 24, 2015 (discussion of scholarship)

PRESENTATIONS (SELECTED)

"Abolitionisms" (with Aya Gruber), presented at
Law and Society Association National Conference, Denver, CO, May 2020 (scheduled)
Prison Abolition, Human Rights, and Penal Reform: From the Local to the Global,
University of Texas at Austin, Austin, TX, September 27, 2019

Panelist, “The Left’s Law & Order Agenda,” Law and Society Association National Conference, Denver, CO, May 2020 (scheduled)

Panelist, “Police and Local Government,” Law and Society Association National Conference, Denver, CO, May 2020 (scheduled)

Discussant, “Labor Repression, Radicalism, and the Rule of Law in the United States,” Law and Society Association National Conference, Denver, CO, May 2020 (scheduled)

Panelist, Exclusion and Extraction: Criminal Justice Contact and Labor Reallocation, University of California-Berkeley, Berkeley, CA, April 17, 2020 (scheduled)

“Wage Theft Criminalization,” presented at:

Yale Law and Political Economy Inaugural Conference, Yale Law School, New Haven, CT, April 2, 2020 (scheduled)

Southwest Criminal Legal Scholarship Conference, Las Vegas, NV, October 18, 2019

CrimFest, Brooklyn Law School, Brooklyn, NY, July 16, 2019

ClimenkoFest Reunion, Harvard Law School, Cambridge, MA, March 29, 2019

Becoming a Law Professor Reading Group, Harvard Law School, Cambridge, MA, March 25, 2019

“Carceral Progressivism and Animal Victims,” Against Cages and Carceral Logics, University of Denver Sturm College of Law, Denver, CO, November 21, 2019

“A Brief Overview of Collateral Consequences in the Labor Market,” Ban the Box Kickoff Event, Colorado Law, Boulder, CO, September 18, 2019

“What’s Wrong With Police Unions?,” presented at:

Colorado Junior Criminal Law Workshop, Colorado Law, Boulder, CO, June 30, 2019

Law and Society Association National Conference, New Orleans, LA, June 3, 2016

“Moving Beyond Critiques of the War on Drugs,” Week Against Mass Incarceration: Prison Abolition Panel, University of Colorado Law School, Boulder, CO, March 6, 2019

Commentator, “Week Against Mass Incarceration: Marijuana Crimes,” University of Colorado Law School, Boulder, CO, March 4, 2019.

Panelist, “Roundtable Discussion on Criminal Prosecution & Workplace Violations,” Labor and Worklife Program, Harvard Law School, Cambridge, MA, January 18, 2019

“Mens Rea Reform and Its Discontents,” presented at:

University of Washington School of Law, Seattle, WA, January 10, 2019

Southwest Criminal Legal Scholarship Conference, Las Vegas, NV, October 26, 2018

UNLV William S. Boyd School of Law, Las Vegas, NV, October 25, 2018

CrimFest, Cardozo Law School, New York, NY, July 16, 2018

“Critical Criminal Legal Histories (Or Their Absence),” Historiography/Ideology/Law II, Boston College Law School, Newton Center, Massachusetts, September 22, 2018

- “The Consensus Myth in Criminal Justice Reform,” presented at
Criminal Justice Roundtable, Harvard Law School, Cambridge, MA, May 4, 2018
Southwest Criminal Law Conference, Santa Clara Law, Santa Clara, CA, March 30, 2018
Becoming a Law Professor Reading Group, Harvard Law School, Cambridge, MA,
March 26, 2018
University of Colorado Law Works-in-Progress Series, Boulder, CO, February 7, 2018
Rocky Mountain Junior Scholars Forum, J. Reuben Clark Law School, Brigham Young
University, Provo, UT, November 17, 2017
- Discussant, “Conditions of the Criminal System in Historical Context,” Law and Society
Association National Conference, Toronto, Canada, June 8, 2018
- Discussant, “The Right to Strike,” Law and Society Association National Conference, Toronto,
Canada, June 7, 2018
- Commentator, “Anti Mass Incarceration Week: Kickoff,” University of Colorado Law School,
Boulder, CO, February 26, 2018
- Panelist, “Author Meets Reader, *The Last Great Strike: Little Steel, the CIO, and the Struggle for Labor
Rights in New Deal America* by Ahmed White,” Law and Society Association National
Conference, Mexico City, Mexico, June 23, 2017
- Commentator, “Becoming Ungovernable: Liberation as Process and Destination,” Harvard Law
School, Cambridge, MA, April 19, 2017
- “Criminal Employment Law,” presented at
ABA Criminal Justice Roundtable, Washington, DC, November 3, 2016
CrimFest, Benjamin N. Cardozo School of Law, New York, NY, July 11, 2016
Law and Society Association National Conference, New Orleans, LA, June 4, 2016
Becoming a Law Professor Reading Group, Harvard Law School, Cambridge, MA, February
1, 2016
- “Guns and Drugs,” presented at
Southwest Criminal Law Workshop, University of Utah S.J. Quinney College of Law, Salt
Lake City, UT, September 25, 2015
CrimFest, Benjamin N. Cardozo School of Law, New York, NY, July 21, 2015
Law and Society Association National Conference, Seattle, WA, May 28, 2015
Becoming a Law Professor Reading Group, Harvard Law School, Cambridge, MA, February
2, 2015
- “The Limits of Progressive Criminalization,” A Logic from Hell: Fundamental Critiques of
Punishment Conference, Harvard Law School, Cambridge, MA, April 11, 2015
- “Reform of Substantive Criminal Law to Reduce Over-Criminalization,” Forum on Criminal
Justice and Policing After Events in Ferguson, Staten Island, Cleveland, & Elsewhere: Next
Steps, Harvard Law School, Cambridge, MA, March 11, 2015

“Police Violence, Race, and the Grand Jury Process: Explaining Ferguson and Staten Island,”
Cambridge Friends School, Cambridge, MA, December 5, 2014

“Inmates for Rent, Sovereignty for Sale: The Global Prison Market,” Law and Society
Association National Conference, Boston, MA, June, 1, 2013

JUDICIAL CLERKSHIPS

The Hon. Leonard I. Garth, U.S. Court of Appeals, Third Circuit, Newark, NJ (2013 – 2014)

The Hon. Lawrence E. Kahn, U.S. District Court, N.D.N.Y, Albany, NY (2012 – 2013)

LEGAL EXPERIENCE

Neufeld Scheck & Brustin, LLP, New York, NY (2011 – 2012)

Represented clients in state and federal civil rights and tort litigation arising from police and prosecutorial misconduct. Drafted motions, interviewed clients, and assisted in trial preparation.

Committee for Public Counsel Services, Public Defender Div., Somerville, MA (Summer 2010)

Drafted motions and interviewed clients. Argued bail motions and second-chaired a felony jury trial.

Capital Defense Pro Bono Project, Cambridge, MA (2009 – 2010)

Worked with a team assisting the New Hampshire Public Defender in a capital appeal. Researched sentencing outcomes in nationwide capital cases.

OTHER PROFESSIONAL EXPERIENCE (SELECTED)

Office of Law Enforcement Oversight, Seattle, WA (2016 – 2017)

Prepared report on police union collective bargaining agreements.

Racing Horse Productions, Cambridge, MA (2016 – 2017)

Provided consultation on issues relating to gun control, gun manufacturer civil liability, and gun crime for documentary television series.

ACADEMIC SERVICE

University of Colorado Law School

Admissions and Career Services Committee (2019 – Present)

Academic Advisor, Academic Advising Program (2019 – Present)

Clerkship Committee (2017 – 2019)

Colloquium Committee (2018 – 2019)

Judge, Marshall-Brennan Moot Court Competition (2018, 2020)

Harvard Law School

Advisor to The Harvard Black Law Students Association in preparation of “Independent Lens: Toward Transparency, Accountability, and Effectiveness in Police Tactics – Model State Legislation for Body-Worn Cameras” (2014 – 2015)

Advisor to The Cambridge City Council Fellows on Community Policing in preparation of “Select Evaluations of Community Policing Programs & Strategies in Cambridge, Mass.” (2014 – 2015)

Written Work Supervision: Melissa Greenberg (2016 – 2017); Alice Kim (2016)

Harvard University

Non-Resident Tutor, Eliot House (2018 – 2019)

Conferences Organized

Colorado Junior Criminal Law Workshop (2019)

Peer Reviewer

Law & Social Inquiry
Northwestern University Law Review
University of Colorado Law Review
Wolters Kluwer

BAR ADMISSIONS

New York; U.S. District Court for the Northern District of New York