

MARY DE MING FAN

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EXPERIENCE

UNIVERSITY OF WASHINGTON SCHOOL OF LAW, Seattle, WA 2010-present
AMERICAN UNIVERSITY WASHINGTON COLLEGE OF LAW, Washington, DC
Assistant Professor of Law. 2008-2010

Specialties: Criminal Law, Criminal Procedure, International Criminal Law, Privacy Law
Service: Faculty Appointments Comm., 2011-2012, Faculty Colloquium Comm., 2010-2011,
Faculty Appointments Comm., 2009-10, LatCrit Works-in-Progress Subcomm. Chair, 2009.

INTERNATIONAL CRIMINAL TRIBUNAL 2007-08
FOR THE FORMER YUGOSLAVIA (ICTY), The Hague, The Netherlands
Associate Legal Officer to Judge O-Gon Kwon.

U.S. ATTORNEY'S OFFICE, SOUTHERN DISTRICT OF CALIFORNIA 2004-07
Assistant U.S. Attorney.

U.S. COURT OF APPEALS FOR THE NINTH CIRCUIT, San Francisco, CA 2003-04
Law Clerk to Judge John T. Noonan, Jr.

YALE LAW SCHOOL, New Haven, CT, Coker Fellow in Teaching. 2002-03

LEGAL SCHOLARSHIP

Friend-Enemy Laws: States Enacting Out, in THE ROLE OF THE STATES IN IMMIGRATION ENFORCEMENT (G. Jack Chin & Carissa Hessick eds., NYU Press, forthcoming 2012).

The Law of Immigration and Crime in the OXFORD HANDBOOK OF ETHNICITY, CRIME AND IMMIGRATION (Sandra Bucerius & Michael Tonry eds. Oxford Univ. Press, forthcoming 2012).

Rebellious State Crimmigration Enforcement and the Foreign Affairs Power, 89 WASH. U. L. REV. (Washington University in St. Louis) __ (2012).

Beyond Budget-Cut Criminal Justice, 90 NORTH CAROLINA L. REV. __ (2012).

Panopticism for Police: Data-Driven Police Regulation, 86 WASH. L. REV. __ (2012).

Constitutionalizing Information Privacy by Assumption, 14 U. PA. J. CON. L. _ (2012).

Decentralizing STD Surveillance: Cultivating a Healthier Culture of Sex and Informed Consent, 12 YALE J. HEALTH POL'Y L. & ETHICS 132 (2012) (peer-reviewed).

Regulating Sex and Privacy in a Casual Encounters Culture, 45 U.C. DAVIS L. REV. 531 (2011).

The Police Gamesmanship Dilemma, 44 U.C. DAVIS L. REV. 1407 (2011).

Post-Racial Proxies: Resurgent State and Local Anti-Alien Laws and Alternate Frames for Antidiscrimination Values, 32 CARDOZO L. REV. 905 (2011).

INTERNATIONAL CRIMINAL LAW: CASES AND COMMENTARY (Oxford Univ. Press 2011) (with Antonio Cassese, Guido Acquaviva and Alex Whiting).

LEGAL SCHOLARSHIP, CONTINUED FROM PAGE 1

When Deterrence and Death Mitigation Fall Short: Fantasy and Fetishes as Gap-Fillers in Border Regulation, 42 *LAW & SOCIETY REVIEW* 701 (2008) (peer-reviewed).

* Selected for reprinting as a notable immigration law-related article in the *IMMIGRATION & NATIONALITY LAW REVIEW*. Reprinting precluded by copyright issues.

Crimes of Displacement: from Sovereign Interests to Victim Rights-Holder, in THE GLOBAL COMMUNITY 267 (Giuliana Ziccardi Capaldo, ed., Oxford Univ. Press 2008).

Disciplining Criminal Justice, 26 *YALE L. & POL'Y REV.* (2007).

The Immigration-Terrorism Illusory Correlation and Heuristic Mistake, 10 *HARVARD LAT. L. REV.* 33 (2007).

* Selected for reprinting as a notable immigration law-related article, 28 *IMMIGRATION & NATIONALITY LAW REVIEW* 555 (2007).

Reforming the Criminal Rap Sheet: Federal Timidity and the Traditional State Functions Doctrine, 33 *AM. J. CRIM. L.* 31 (2005).

Governing Copyright in Cyberspace: The Penalty Default Problem with State-Centric Sovereignty, 43 *JURIMETRICS J.* 315 (2003) (peer-reviewed).

* Awarded Nathan Burkan Prize, Yale Law School.

Comment, *The Fallacy of the Sovereign Prerogative to Set De Minimis Liability Rules for Sexual Slavery*, 27 *YALE J. INT'L L.* 395 (2002).

* Awarded Jewell Prize, Yale Law School.

Case Note, *Textual Imagination*, 111 *YALE L.J.* 1521 (2002).

Comment, *Risk Magnified: Standing Under the Statist Lense*, 112 *YALE L.J.* 1633 (2003).

EDUCATION**YALE LAW SCHOOL, J.D., 2003**

Nathan Burkan Prize, best paper in the field of copyright

Jewell Prize, best second-year contribution to journal other than *The Yale Law Journal*
Yale Law Journal, Notes Editor • *Yale Journal of International Law*, Managing Editor

UNIVERSITY OF CAMBRIDGE, M.Phil., Social Anthropological Analysis, 2008

Gates Cambridge Scholar • Awarded Overseas Research Studentship for PhD

UNIVERSITY OF ARIZONA, B.A., magna cum laude, 2000, graduated in three years

Flinn Foundation Scholar • National Merit Scholar • President's Award for Excellence
National Security Education Program Fellowships • Hearst Undergrad Poetry Awards

Opinions Editor, Columnist, News Reporter, *Arizona Daily Wildcat*

NASA Space Grant Science-Writing Fellowship, *Arizona Daily Star*

Internships: USAID Mission, Sarajevo Bosnia, U.S. Dep't of State, Manila, Phil. Embassy

PRESENTATIONS

Beyond Budget-Cut Criminal Justice, Plenary Panel, Decarceration: Taking Advantage of the Budget Crisis, American Bar Association Criminal Justice Section – Association of American Law Schools, Washington, DC, Oct. 28, 2011.

Regulating Sex and Privacy in a Casual Encounters Culture, University of California, Berkeley Center for Law & Technology, Privacy Law Scholars Conference, Berkeley, CA, Jun. 3, 2011.

Moderator, *Cops on Camera Panel*, University of Washington School of Law and American Civil Liberties Union, Seattle, WA, May 25, 2011.

Beyond Budget-Cut Criminal Justice, University of Washington School of Law, Faculty Colloquium, Seattle, WA May 5, 2011.

Moderator, *Panel on Rape*, University of Washington School of Law, Law Women's Caucus, Seattle, WA, Apr. 28, 2011.

Moderator, *Panel on Race and the Criminal Justice System*, University of Washington School of Law, Minority Students Association, Seattle, WA, Feb. 24, 2011.

Sex and Privacy Paradigm-Updating for a Casual Encounters Age, University of Pennsylvania School of Law, Conference on Privacy & Social Change, Philadelphia, PA, Jan. 28, 2011.

Justice Kennedy and the Revival of the Relevance of Hope in Penal Theory, Criminal Justice and the Roberts Court Panel, AALS Annual Meeting, Criminal Justice Section Panel, San Francisco, CA, Jan. 8, 2011 (Call for Papers Winner).

Crime and Immigration Conflation: Fierce Politics and the Need for Harder-Look Review, AALS Annual Meeting Hot Topics Panel, San Francisco, CA, Jan. 7, 2010.

Post-Racial Proxies: Resurgent State and Local Anti-Immigrant Laws and Alternate Frames for Antidiscrimination Values, National People of Color Conference, Newark, NJ, Sept. 11, 2010.

Millimeter Wave Imaging, Homeland Security Institute Panel, Arlington, Va., Aug. 5, 2009.

Quasi-Privacy and Redemption in a World of Ubiquitous Checking-Up, GWU-Berkeley Law School Privacy Law Scholars Conference, Berkeley, Cal., June 5, 2009.

The Quantum of Rights in Crime and War and the Cognition and Intuition of Citizenship, Law & Society Conference, Denver, Colo., May 29, 2009.

Affective and Formal Citizenship and the Quantum of Rights in Crime and War, University of Oregon/Wayne Morse Center for Law & Politics, Eugene, OR, May 8, 2009.

Current Status of “Comfort Women” and Abuses Committed Against Women During Armed Conflict, American University WCL, Washington, DC, Apr. 9, 2009.

Drug Law Reform, ACLU-American University WCL, Washington, DC, Oct. 13, 2008.

Prevention-through-Deterrence and Death Mitigation: Border Law’s Symbolic Order and Its Symptoms, Law & Society Conference, Montreal, Canada, May 30, 2008.

EDITORIAL WORK

Editorial Committee, *Journal of International Criminal Justice* (Oxford Univ. Press Journal).

Contributing Editor, Criminal Law Section, Jotwell Blog on Legal Scholarship.

BAR ADMISSIONS

California, 2004; Washington, DC, 2010; Washington State Bar Pending, 2012

MEMBERSHIPS

Elected member of the American Law Institute (ALI). On the Members Consultative Group for the Model Penal Code: Sentencing and Principles of Government Ethics projects.

American Bar Association, Criminal Justice Section. Member of the Crime Prevention, Pretrial & Police Practices, Corrections, Immigration and Prosecution Function Committees.