

SHIMA BARADARAN BAUGHMAN

Professor of Law

University of Utah College of Law

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EMPLOYMENT

University of Utah College of Law, 2013-present

Professor of Law

Courses Taught: Criminal law, Criminal Procedure, Evidence, White Collar Crime, International Law, International Criminal Law, Advanced Criminal Procedure, Advanced Topics in Criminal Law

Brigham Young University, J. Reuben Clark Law School, 2010-2013

Associate Professor

SELECTED PUBLICATIONS

BAIL AND MASS INCARCERATION, CAMBRIDGE UNIVERSITY PRESS (forthcoming 2017)

CRIMINAL LAW CASES AND CONTROVERSIES (4TH EDITION ASPEN 2016) (coauthored with Paul Robinson and Michael Cahill)

Subconstitutional Checks, NOTRE DAME L. REV. (forthcoming 2017)

Costs of Pretrial Detention, BOSTON U. L. REV. (forthcoming 2017)

Constitutional Rights of Criminals and Terrorists, CRIMINALS AND ENEMIES, MASSACHUSETTS UNIVERSITY PRESS (book chapter, forthcoming 2017)

Blinding as a Solution to Implicit Racial Bias in Prosecutorial Decision Making BEHAVIORAL SCIENCE & POLICY (2016) (coauthored with Chris Robertson and Sunita Shah)

Drugs and Violence, 88 S. CAL. L. REV. 227 (2015)

Funding Terror, 162 UNIV. OF PENN. L. REV 477 (2014)(coauthored with JC Sharman, Daniel Nielson, and Michael Findley)

The Presumption of Punishment, 8 CRIMINAL LAW & PHILOSOPHY 391 (2014)
(Peer reviewed journal)

Race, Prediction and Pretrial Detention 10 J. EMPIRICAL LEGAL STUD. 471 (2013) (coauthored with Frank McIntyre) (Peer reviewed Journal)

Rebalancing the Fourth Amendment 102 GEORGETOWN L. J. 1 (2013)

Does International Law Matter? 97 MINNESOTA L. REV 743 (2013) (coauthored with JC Sharman, Daniel Nielson, and Michael Findley)

Sources of Criminal Law (Statutes, Case Law, Ordinances, Regulations) in THE ENCYCLOPEDIA OF CRIMINOLOGY AND CRIMINAL JUSTICE (WILEY BLACKWELL ED 2013) (coauthored with Aaron Arnson) (book chapter)

Race, Prediction & Discretion, 81 GEORGE WASH. L. REV. 157 (2012)

Predicting Violence, 90 TEXAS L. REV. 497 (2012) (coauthored with Frank McIntyre)

The Right Way to Shrink Prisons, N.Y. TIMES (May 30, 2011)

Restoring the Presumption of Innocence, 72 OHIO STATE L.J. 723 (2011)

SELECTED PRESENTATIONS

The Money Bail Crisis, American Association of Law Schools (AALS) Annual Meeting (January 2016)

Predicting Trouble: Risk, Technology, and a Data-Driven Criminal Justice System, American Association of Law Schools (AALS) Annual Meeting (January 2016)

Sub-Constitutional Checks, Vanderbilt Criminal Justice Roundtable (November 2015); Southwest Criminal law Conference (Univ. of Utah 2015)

Vice Crimes; Innocence and Incarceration, SEALS Annual Meeting (July 2015)

Racism and Prosecutorial Integrity, Prosecutorial Integrity Annual Conference, Washington D.C. (June 2015)

Policing & Being Policed, International Law and Society Conference (May 2015)

Extreme Empirical Methods, American Association of Law Schools (AALS) Annual Meeting (January 2015)

Smart Law for Smart Cities: Regulation Technology and the Future of Cities, Fordham Law School (2014)

Big Data and International Law, NYU Symposium (2014)

Funding Terror, University of Maryland (2013), William & Mary (2014)

Drugs and Violence, UC Davis, Southwest Criminal Scholars Conference, UCLA law school, Emory Law School, Cornell Law School, NKU Law School (2013-2015)

Social Science Approaches to Legal Scholarship, American Association of Law Schools (AALS) Annual Meeting (January 2013)

Race Prediction & Pretrial Detention, Conference on Empirical Legal Studies, Stanford University (with Frank McIntyre) (Nov. 2012)

Predicting Violence on Pretrial Release, 2012 Annual U.S. District Court Bench-Bar Conference, Idaho Falls, Idaho (Oct. 2012)

Reconsidering Fourth Amendment Balancing, Southwest Criminal Law Conference, UNLV, Rocky Mountain Junior Scholars Conference (Sept. 2012)

Experimenting with Shell Companies, University of Utah, University of Houston, Arizona State University (2012)

Does International Law Matter?, International Society of New Institutional Economics Annual Meeting, USC Law School (June 2012)

Race, Prediction & Discretion, International Law & Society Annual Meeting (June 2012)

Race, Prediction & Pretrial Detention, American Law & Economics Association Annual Conference, Stanford Law School (with Frank McIntyre) (May 2012)

The Presumption of Punishment, Fraying the 'Golden Thread' The Presumption of Innocence in Contemporary Criminal Law, Minnesota Law School (May 2012)

A War on Terror Financing: The Impact of International Law on Money Laundering in the Middle East and Beyond, Forces Without Borders: Nonstate Actors in the Middle East, Cornell Law School (February 2012)

Importance of the Pretrial Process in Reducing Mass Incarceration and Protecting the Innocent, The American Association of Law Schools (AALS) Annual Meeting (January 2012)

Judicial Decisionmaking in Criminal Justice, ABA-AALS Fall Meeting, Washington D.C. (Oct. 2011)

The Current State of Pretrial Detention, National Association of Pretrial Services Agencies Annual Conference (Sept. 2011)

Why Comply with International Law? Vanderbilt University Law School, Wisconsin Law School (Oct./Nov. 2011)

Race and Prediction, Rocky Mountain Junior Scholars Workshop, Brigham Young University (Sept. 2011)

National Security, Detention and the U.S. Courts, Southeastern Law Schools Association Conference (July 2011)

Restoring the Presumption of Innocence, Law and Society Annual Conference, Southwest Junior Scholars Conference (March 2011)

Predictive Justice, Due Process & the Presumption of Innocence
J. Reuben Clark Society Conference 2010, Golden Gate University (San Francisco)

The Presumption of Innocence and Pretrial Detention in Malawi
U.S. Embassy Fulbright Conference, 2009

Machoism and the Rape Epidemic of South Africa,
Kennedy Center International Studies Conference 2000

EXPERIENCE

Ethical Tea Partnership

Legal Consultant, April 2010-August 2010

Coordinate and undertake field study investigating labor, health, environmental, and human rights practices surrounding the tea estate communities of Southern Malawi; Produce 80-page comprehensive report detailing conditions, including case studies and recommendations for potential interventions.

Christian Aid

Legal Consultant, Jan. 2010-present

Draft position paper and alternative language for draft Malawi HIV Bill on behalf of coalition of over 20 international NGOs; advocate and present to Parliament members

and media representatives about proposed legislation.

Global Integrity

Peer Reviewer, Nov. 2009-Jan. 2010

Assist in preparing a Malawi Country Report assessing governance, anti-corruption mechanisms, and government accountability at a national level and review 320 indicators in six broad dimensions of governance for international NGO.

UK Department for International Development (DFID)

Justice Advisor, Dec. 2008-April 2009

Manage the Safety, Security, and Access to Justice Program, a \$12.3 million project, involving ten implementing partners which focuses on informal primary justice provided by traditional authorities including community legal awareness, informal dispute resolution, community policing and victim's support and diversion of children to child friendly courts.

Fulbright Senior Scholar,

University of Malawi, Aug. 2008-Dec. 2008, May 2009-present

Proposal: A Structural and Procedural Approach to Reforming the Malawian Criminal Justice System

Malawi Legal Aid Department

Senior Legal Aid Advocate, Aug. 2008-Jan. 2009

Defend criminal suits and initiate civil actions in land, tort, family and estate disputes in Malawi magistrate and high court.

University of Malawi, Chancellor College of Law

Lecturer, Aug. 2009-March 2010

Lecturer in criminal law course for law students.

Kirkland & Ellis, New York

Associate, Nov. 2005–Aug. 2008, *Summer Associate*, May–Aug. 2003

Initiated and defended patent, copyright, contract, securities, healthcare, criminal, and constitutional actions in federal and state court. Took and defended over fifteen depositions, argued five appellate and discovery motions in federal and state court, and briefed several dispositive motions.

Lead a team of lawyers in a high profile religious freedom prison case

<http://www.nytimes.com/2008/02/16/us/16prison.html?scp=10&sq=rabbi%20prison&st=cse>

Honorable Jay S. Bybee, United States Court of Appeals for the Ninth Circuit

Law Clerk, 2004–05

Office of the Solicitor General, U.S. Department of Justice

Summer Honors Program, May–June 2004

Assisted in researching, briefing, and mooted cases to be argued on behalf of the U.S. Government before the Supreme Court

ACLU Women's Rights Project, New York

Summer Intern, June–Aug. 2002

Initiated class actions on behalf of domestic violence victims, female prisoners and low-income laborers.

Ray, Quinney & Nebeker

Summer Associate May–June 2002

Assisting in research and writing motions in litigation related matters.

Health Association of Iran, Tehran, Iran

Field Researcher, June–July 2000

Received grant to assess the success of Iranian nongovernmental organizations in the areas of political violence, health, and the environment

Border Institute of Primary Health, East London, South Africa

AIDS Education Coordinator and Field Researcher, May–Aug. 1999

Organized AIDS education workshops for community health workers in several townships of the Eastern Cape of South Africa; researched violence against women in South Africa, conducting in-depth interviews with rape convicts in East London Prison

Utah County Rape Crisis Team, Utah

Team Member, Apr. 1998–2001
