

Kiel Brennan-Marquez

55 Elizabeth St. • Hartford, CT 06105 • 650.815.1057 • kiel.brennan-marquez@uconn.edu

EDUCATION

Yale Law School • J.D. 2011
Pomona College • B.A. 2008

ACADEMIC POSITIONS

Current

University of Connecticut School of Law
Faculty Director, Center on Community Safety, Policing, and Inequality, 2021-
Associate Professor & William T. Golden Scholar, 2018-

Courses • Constitutional Law; Law & Big Data; Evidence; Policing; Constitutional Theory
Accolades • Finalist, Zirkel Teaching Award (2020); average course evaluation 4.7/5 (mean: 4.5/5)

Past

Yale Law School
Visiting Associate Professor, Spring 2021

Georgetown University Law Center
Research Fellow & Adjunct Professor of Law, 2017-2018

New York University Law School
Postdoctoral Research Fellow & Adjunct Professor of Law, 2015-2017

SELECTED WRITING

In progress

Declining to Cast Stones

Search and Seizure Ceilings

Privacy, Autonomy, and the Dissolution of Markets (with Daniel Susser)
Selected for presentation at the Knight Institute's "Data and Democracy" Symposium

Articles and Essays

Aggregate Stare Decisis • IND. L. J. (forthcoming)

Temporal Buffer Zones • YALE L. & POL'Y REV. (forthcoming) (with Doug Spencer)

Beware of Giant Tech Companies Bearing Jurisprudential Gifts • 134 HARV. L. REV. F. 434 (2021)
Responding to Rebecca Wexler, "Privacy as Privilege"

Toward A Political Theory of Police Violence • 53 CONN. L. REV. 693 (2021)

The Trial Lottery • 56 WAKE FOREST L. REV. I (2021) (with Stephen Henderson & Darryl Brown)

Algorithmic Decision-Making When Humans Disagree About Ends • 24 NEW CRIM. L. REV. ___ (2021)
(with Vincent Chiao)

“Fair Notice” in the Age of Artificial Intelligence • THE OXFORD HANDBOOK OF ETHICS OF ARTIFICIAL INTELLIGENCE (Dans, Dubber & Pasquale eds.) (2020)

Rethinking the Relationship Between Punishment and Policing • 17 OHIO ST. J. CRIM. L. 399 (2020)
Responding to Gabriel Mendlow, “Why Is It Wrong to Punish Thought?”

Strange Loops: Apparent v. Actual Human Involvement in Automated Decision-Making • 34 BERK. J. L. & TECH. 745 (2019) (with Karen Levy & Daniel Susser)

Extremely Broad Laws • 61 ARIZ. L. REV. 641 (2019)
Selected for presentation at the 2018 Yale-Harvard-Stanford Junior Faculty Forum

Artificial Intelligence and Role-Reversible Judgment • 109 J. CRIM. L. & CRIMINOLOGY 137 (2019) (with Stephen Henderson)
Reviewed on Jotwell by Frank Pasquale

The Constitutional Limits of Private Surveillance • 66 U. KAN. L. REV. 485 (2018)

Fourth Amendment Anxiety • 55 AM. CRIM. L. REV. 1 (2018) (with Stephen Henderson)
Selected by National Association of Criminal Defense Lawyers’ “Getting Scholarship into Courts” Project
Reprinted in the SEARCH & SEIZURE LAW REPORT

“Plausible Cause”: Explanatory Standards in the Age of Powerful Machines • 70 VAND. L. REV. 1249 (2017)

Fourth Amendment Fiduciaries • 84 FORDHAM L. REV. 611 (2015)

Statutes and Democratic Self-Authorship • 56 WM. & MARY L. REV. 115 (2014) (with Paul Kahn)

A Modest Defense of Mind-Reading • 15 YALE J. L. & TECH. 214 (2013)

Shorter Pieces

Ballership • CONN. L. REV. ONLINE (forthcoming)

The Probabilism Debate that Never Was? • 23 INT’L J. EVID. & PROOF 141 (2019)
Responding to Ronald Allen & Michael Pardo, “Relative Plausibility and its Critics”

Big Data Policing and the Redistribution of Anxiety • 15 OHIO ST. J. CRIM. L. 487 (2018)

Outsourced Law Enforcement • 18 U. PA. J. CONST. LAW 797 (2016)

The Faces of Judicial Naiveté • 29 CONST. COMMENT. 257 (2014)
Reviewing RICHARD POSNER, REFLECTIONS ON JUDGING

Going Through the Motions • 17 GREENBAG 2D 381 (2014)

A Quite Principled Conceit • 80 U. CHI. L. REV. DIALOGUE 81 (2013)
Responding to Jed Rubenfeld, “The Riddle of Rape-by-Deception and the Myth of Sexual Autonomy”

SELECTED PRESENTATIONS

Search and Seizure Ceilings • August 2020 • Southeastern Law School Association

The Political Theory of Predictive Policing • June 2020 • Luiss School of Law (Rome)

Apparent v. Actual Human Involvement in Automated Decisions • Oct. 2019 • Cornell Tech
Artificial Intelligence and the Future of Law Enforcement • Sept. 2019 • Goethe University
Big Data and the Future of Insurance • June 2019 • Travelers Insurance
The Constitutional Limits of Private Surveillance • June 2019 • Connecticut Judicial Institute
Rethinking the Relationship Between Punishment and Policing • June 2019 • Toronto Law
Reconceptualizing Police Deception • May 2019 • Berkeley Law
The “What You Do, Not Who You Are” Principle • May 2019 • Vanderbilt Law
Aggregate Stare Decisis • March 2019 • Arizona Law
“Fair Notice” in the Age of Artificial Intelligence • March 2019 • Toronto Law
The “Lawyer v. Human” Problem in Corpus Linguistics • Feb. 2019 • BYU Law
Artificial Intelligence and Role-Reversible Judgment • Sept. 2018 • Arizona Law
Extremely Broad Laws • June 2018 • Harvard-Yale-Stanford Junior Faculty Forum
Jurisphobia • May 2018 • Georgetown Law
Big Data Policing and the Redistribution of Anxiety • Sept. 2017 • OSU Law

PROFESSIONAL SERVICE

Peer Reviewer

Cambridge University Press
International Journal of Evidence and Proof
Law, Probability, and Risk
Oxford University Press
Yale Law Journal

Amicus Brief Author

Gamble v. U.S., 587 U.S. ___ (2019), Brief of Criminal Procedure Professors in Support of Petitioner

OTHER EXPERIENCE

HunchLab

Policy & Design Consultant, 2017-2018

Southern District of New York

Law Clerk to Hon. Shira A. Scheindlin, 2014-2015

Information Society Project

Resident Fellow, 2012-2014

WilmerHale

Summer Associate, 2010

Community Legal Services of East Palo Alto

Summer Legal Intern, 2009