

**VINCENT CHIAO**

Associate Professor

University of Toronto, Faculty of Law

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**RESEARCH INTERESTS:** My research focuses on the philosophical foundations of punishment in democratic societies, with particular emphasis on the institutions of criminal justice.

**CITIZENSHIP:** USA & Canada.

**EMPLOYMENT:**

Associate Professor, University of Toronto, Faculty of Law, 2011-present.

Law clerk to the Hon. Juan R. Torruella, U.S. Court of Appeals for the First Circuit, Boston, MA, 2010-2011.

Reginald F. Lewis Research Fellow, Harvard Law School, 2008-2010

**PUBLICATIONS - BOOKS:**

*Criminal Law in the Age of the Administrative State* (Oxford University Press, 2018).

Subject of a symposium issue: *Jerusalem Review of Legal Studies* 17(1) (2018): 90-175.

**PUBLICATIONS – ARTICLES & BOOK CHAPTERS:**

“Realism and the rational administration of the law in Beccaria,” forthcoming in *Re-Reading Beccaria*, Antje du Bois-Pedain & Shachar Eldar, eds. (Cambridge 2020)

“Capital Punishment and the Owl of Minerva,” in *The Handbook of Applied Ethics and Criminal Law*, Larry Alexander & Kim Ferzan, eds. (Palgrave 2019).

“Fairness, Contestability and Transparency: Notes on Algorithmic Decision-making in Criminal Justice,” *International Journal of Law in Context* 15 (2019) 126-139.

“Predicting Proportionality: the Case for Algorithmic Sentencing,” *Criminal Justice Ethics* 37(3) (2018): 238-261 (peer reviewed).

“What is the Criminal Law For?,” *Law and Philosophy* 35 (2016): 137-163 (peer reviewed).

“Discretion and Domination in Criminal Procedure: Reflections on Pettit,” *Politics, Philosophy and Economics* 2015, DOI 10.1177/1470594X15599104 (peer reviewed).

“Two Conceptions of the Criminal Law,” in *The New Philosophy of Criminal Law*, Chad Flanders & Zachary Hoskins, eds. (Rowman & Littlefield 2015).

“Mass Incarceration and the Theory of Punishment,” *Criminal Law & Philosophy* 2015, DOI 10.1007/s11572-015-9378-x (peer reviewed).

“Acts and *Actus Reus*,” in *The Oxford Handbook of Criminal Law*, Markus Dubber & Tatjana Hörnle, eds. 447-467 (2014).

- “Equality, Assurance and Criminalization,” *Canadian Journal of Law & Jurisprudence* 27(1) (2014): 5-26 (peer reviewed).
- “Punishment and Permissibility in the Criminal Law,” *Law and Philosophy* 32 (2013): 729-765 (peer reviewed).
- “Ex Ante Fairness in Criminal Law and Procedure,” *New Criminal Law Review* 15(2) (2012): 277-332 (peer reviewed).
- “Intention and Attempt,” *Criminal Law & Philosophy* 4 (2010) (peer reviewed).
- “Action and Agency in the Criminal Law,” *Legal Theory* 15 (2009): 1-23 (peer reviewed).

#### **PUBLICATIONS – REVIEWS:**

- Review essay on Antony Duff, *The Realm of Criminal Law* (Oxford 2018), *Jerusalem Review of Legal Studies* 18(1) (December 2018), available at .  
<https://academic.oup.com/jrls/article-abstract/18/1/38/5365328?redirectedFrom=fulltext>
- Review essay on Lindsay Farmer, *Making the Modern Criminal Law* (Oxford 2016), *Critical Analysis of Law* 4(1) (2017), available at  
<http://cal.library.utoronto.ca/index.php/cal/article/view/28143>.
- Review of Luis Duarte d’Almeida, *Allowing for Exceptions: A Theory of Defences and Defeasibility in Law*, *Law and Philosophy* (2016), DOI 10.1007/s10982-016-9271-3.
- Comment on Joshua Kleinfeld, “Embodied Ethical Life and Criminal Law,” *Harvard Law Review Forum*, available at <http://harvardlawreview.org/2016/04/a-response-to-professor-kleinfelds-reconstructivism-the-place-of-criminal-law-in-ethical-life/>
- Review of P. Pettit and C. List, *Group Agency*, 64(5) *University of Toronto Law Journal* 753-770 (2014)
- Review of A. von Hirsch and A.P. Simester, *Crimes, Harms, and Wrongs: On the Principles of Criminalisation*, for Rutgers Criminal Law Criminal Justice Books, November 2011.  
 Available at: [http://clcjbooks.rutgers.edu/books/crimes\\_harms\\_wrongs.html](http://clcjbooks.rutgers.edu/books/crimes_harms_wrongs.html)

#### **EDUCATION:**

Harvard Law School, J.D., 2008.

- Harvard University Knox Traveling Fellowship: support for research abroad during the 2008-2009 academic year. (I accepted the Harvard Law School Lewis Fellowship instead.)
- Harvard Law School Summer Academic Fellowship: supported research and writing during the summers of 2007 and 2008.
- Legal intern, Council of Europe, Committee on Legal Affairs and Human Rights, Strasbourg, France: researched and helped draft memoranda for the Committee on Legal Affairs and Human Rights. Supported by Chayes Summer Fellowship. Summer 2006.
- Research Assistant, Prof. Susan Carle, spring 2006.

Northwestern University, Ph.D., philosophy, 2006.

- Dissertation: *Self-Knowledge between Discovery and Decision*. Advisors: Axel Mueller and Marya Schechtman.
- William James Prize: awarded for best graduate student paper presented at the American Philosophical Association, Eastern Division meeting, 2006.
- DAAD Academic Year Fellowship: supported research at the Humboldt Universität zu Berlin during 2002-2003.

University of Virginia, BA with honors, philosophy, 1998

**VISITING POSITIONS:**

Assistant Crown Attorney, Ministry of the Attorney General Ontario (College Park),  
October 2017 – January 2018.

Visiting Fellow at the Israel Institute for Advanced Study, March-June 2016.

Robina Visting Fellow, spring 2014.

**AWARDS:**

Foundation for Legal Research, summer 2020: \$5000 research grant.

Mewett Teaching Award, June 2018.

Foundation for Legal Research, summer 2013: \$5000 research grant.

Connaught New Researcher Grant: \$10,000 grant from the University of Toronto, 2012-2014.

Harvard Law School Reginald F. Lewis Fellowship: two-year research fellowship at Harvard Law School, for 2008-2010.

Harvard University Knox Traveling Fellowship: support for research abroad during the 2008-2009 academic year.

William James Prize: awarded for best graduate student paper presented at the American Philosophical Association, Eastern Division meeting, 2006.

DAAD Academic Year Fellowship: supported research at the Humboldt Universität zu Berlin during 2002-2003.

**COURSES TAUGHT:**

Administrative law

First year criminal law

Theories of criminal justice (Centre for Criminology & Sociolegal Studies)

Criminal procedure

Appellate criminal law externship

Legal process (civil procedure)

Criminalization

## Philosophy of the criminal law (Harvard Law School)