

JACOB SCHUMAN

Penn State Law School
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EXPERIENCE

Penn State Law School

Assistant Professor, July 2020 – Present
Affiliate Faculty, Criminal Justice Research Center
Courses Taught: Criminal Law, Evidence, Law of the Police Seminar
Research Interests: Criminal Law, Constitutional Law, Indigent Defense

Federal Community Defender Office for the Eastern District of Pennsylvania

Research & Writing Attorney, Appellate Unit, September 2016 – June 2020

Zuckerman Spaeder LLP

Associate, October 2014 – August 2016

United States District Court for the District of Columbia

Law Clerk to the Honorable James E. Boasberg, August 2013 – August 2014

United States Court of Appeals for the First Circuit

Law Clerk to the Honorable Michael Boudin, June 2012 – June 2013

EDUCATION

Harvard Law School, J.D., magna cum laude, May 2012

Harvard Law Review, Notes Chair
Harvard Law and Policy Review, Senior Policy Editor
Freedom Seder Leadership Committee, Black Law Students Association and Jewish Law Students Association

Brown University, B.A., magna cum laude, May 2008

The Brown Daily Herald, Opinions Editor

SCHOLARSHIP

Terminating Supervision Early (in progress)

Prosecutors in Robes, 77 STAN. L. REV. ____ (forthcoming 2025)

Selected for Junior Scholars Public Law Workshop, American Constitution Society, AALS Annual Meeting (Jan. 2024)

Revocation at the Founding, 122 MICH. L. REV. ____ (forthcoming 2024)

Selected as Winning Entry in Young Legal Scholars Paper Competition, Federalist Society, 24th Annual Faculty Conference (Jan. 2023)

Criminal Violations, 108 VA. L. REV. 1817 (2022)

Featured by Eva Herscowitz, *How Crime on Parole Drives Mass Incarceration: Study*, THE CRIME REPORT (Mar. 28, 2022), <https://thecrimereport.org/2021/06/23/probation-puts-drug-offenders-at->

greater-risk-of-returning-to-prison-paper/

Drug Supervision, 19 OHIO ST. J. CRIM. L. 431 (2022) (peer-reviewed symposium)
Featured by Andrea Cipriano, *Probation Puts Drug Offenders at Greater Risk of Returning to Prison: Paper*, THE CRIME REPORT (June 23, 2021),
<https://thecrimereport.org/2021/06/23/probation-puts-drug-offenders-at-greater-risk-of-returning-to-prison-paper/>

Editor's Observations: One Nation Under Supervision, 34 FED. SENT'G REP. 269 (2022)

The Judicial Role in Supervision and Reentry, 34 FED. SENT'G REP. 318 (2022)

Revocation and Retribution, 96 WASH. L. REV. 881 (2021)

Cited by *United States v. Peguero*, 34 F.4th 143, 170, 173, 175 & n.6 (2d Cir. 2022) (Underhill, J., dissenting); *Can Retribution Justify the Revocation of Supervised Release? Courts Disagree*, CONGRESSIONAL RESEARCH SERVICE (Mar. 13, 2023), <https://crsreports.congress.gov/product/pdf/LSB/LSB10929>

Supervised Release Is Not Parole, 53 LOY. L.A. L. REV. 587 (2020)

Cited by *United States v. Peguero*, 34 F.4th 143, 177 (2d Cir. 2022) (Underhill, J., dissenting); *United States v. Ka*, 982 F.3d 219, 225-28 & n.4 (4th Cir. 2020) (Gregory, J., dissenting); *United States v. Degrade*, No. 1:23-cr-20049, 2023 WL 5385398, at *1 n.2 (E.D. Mich. Aug. 22, 2023); *United States v. Rawls*, No. 4:18-cr-49, 2022 WL 2439571, at *3 (E.D. Ark. July 5, 2022); NEIL P. COHEN, THE LAW OF PROBATION AND PAROLE, Introduction § 1:1 (2d ed. 2021); *Supervised Release (Parole): An Overview of Federal Law*, CONGRESSIONAL RESEARCH SERVICE (Sept. 28, 2021), <https://sgp.fas.org/crs/misc/RL31653.pdf>

Sentencing Rules and Standards: How We Decide Criminal Punishment, 83 TENN. L. REV. 1 (2015)

Probability and Punishment: How to Improve Sentencing by Taking Account of Probability, 18 NEW CRIM. L. REV. 214 (2015) (peer reviewed)

Note, *Indian Canon Originalism*, 126 HARV. L. REV. 1100 (2013)

Cited by *State v. Begay*, 495 P.3d 732, 740 (Or. App. 2021)

Beyond Nuremberg: A Critique of "Informed Consent" in Third World Human Subject Research, 25 J.L. & HEALTH 123 (2012)

Case Comment, *Fourth Amendment – Exigent Circumstances Exception: Kentucky v. King*, 125 HARV. L. REV. 211 (2011)

Developments in the Law, *Extraterritoriality: Part VI. Extraterritorial Law and International Norm Internalization*, 124 HARV. L. REV. 1226, 1280–92 (2011)

Cited by *Doe v. Exxon Mobil Corp.*, 654 F.3d 11, 78 (D.C. Cir. 2011) (Kavanaugh, J., dissenting); *Sarei v. Rio Tinto, PLC*, 671 F.3d 736, 803 n.30 (9th Cir. 2011) (en banc) (Kleinfeld, J., dissenting)

COMMENTARY

It is Time to Reform Federal Supervised Release, AMERICAN CONSTITUTION SOCIETY

EXPERT FORUM (with Aliza Hochman Bloom) (Nov. 30, 2022)

The Secret Success of Federal Probationers, THE CRIME REPORT (Nov. 11, 2021)

Lori Loughlin, and Thousands of Others Sentenced to Supervised Release, Is Not Getting an Easy Punishment, THE PHILADELPHIA INQUIRER (Aug. 31, 2020)

America's Shadow Criminal Justice System, THE NEW REPUBLIC (May 30, 2018)

Federal Prisons Don't Even Try to Rehabilitate the Undocumented, THE MARSHALL PROJECT (Oct. 17, 2017)

Lawful Use of Deadly Force by the Police: What's Wrong in Ferguson and Elsewhere, THE CHAMPION (May 2015) (with Steven Salky and Keisha N. Stanford)

ADVOCACY

Brief of Criminal Law Scholars as Amici Curiae, United States v. Carpenter, No. 23-3295 (7th Cir.) (filed January 12, 2024) (lead author)

Brief of Criminal Law Scholars as Amici Curiae, United States v. Bowers, No. 23-902 (9th Cir.) (filed Sept. 12, 2023) (lead author)

SERVICE

Pennsylvania State University

Law School:

Faculty-Works-In-Progress Committee (2020-present, Chair 2022-2023)

Faculty Rights and Responsibilities Committee (2021-present)

Career Services Office Assistant Dean Search Committee (Summer 2022)

Academic Rules Committee (2021-2022)

Minority Mentor Program (2022-present)

Faculty Advisor to Criminal Law Society and Jewish Law Students Association (2022-present)

College:

Criminal Justice Research Center Hiring Committee for Postdoctoral Scholar in Racial and Ethnic Disparity in Sentencing (Fall 2020)

Faculty Advisor to Penn State Mock Trial Association (2022-present)

Harris Township

Inspector of Elections, Precinct 57, Harris Township-West, Centre County (elected 2021-2025 term)

SELECTED TALKS AND PRESENTATIONS

United States v. Medical Marijuana, Art After Hours, Palmer Museum of Art, Pennsylvania State University (Apr. 2023)

Revocation at the Founding and Criminal Violations, Parole Field Services Hearing Division Conference, Pennsylvania Department of Corrections (Apr. 2023)

Revocation at the Founding, Faculty Workshop, Drexel University Kline School of Law (Jan. 2023)

Revocation at the Founding, Young Legal Scholars Paper Competition, Federalist

Society, 24th Annual Faculty Conference (Jan. 2023)

Law School Tricks (and Treats), 2022 Academic Leadership Retreat, Mid-Atlantic Black Law Students Association, Penn State Law School (Oct. 2022)

Criminal Violations, Faculty Colloquium, Rutgers University Law School (Jan. 2022)

Holocaust Remembrance Day, Jewish Law Students Association, Penn State Law School (Jan. 2022)

Blind Lines of Justice: Prosecutors and Defense Attorneys, Criminal Law Society, Penn State Law School (Sept. 2021)

Drug Supervision, Understanding Drug Sentencing Symposium, Drug Enforcement and Policy Center, The Ohio State University Moritz College of Law (June 2021)

Drug Supervision, Faculty Workshop, Drexel University Kline School of Law (Apr. 2021)

The Law of Mass Supervision, Human Rights Society Roundtable, Penn State Law School (Mar. 2021)

White Supremacy and the Law, Black Law Students Association and Jewish Law Students Association, Penn State Law School, (Feb. 2021)

The Law of Mass Supervision, Criminology Forum, Criminal Justice Research Center, Penn State College of the Liberal Arts (Dec. 2020)

Theories of Revocation Sentencing, Faculty Workshop, University of Pittsburgh School of Law (Oct. 2020)

BAR ADMISSIONS

State: District of Columbia (inactive), New York, Pennsylvania (inactive)

Federal: Supreme Court, Courts of Appeals for the Third, Seventh, and Ninth Circuits, District Courts for the District of Columbia and Eastern District of Pennsylvania