

MARY ANNE FRANKS

Professor of Law

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EMPLOYMENT

UNIVERSITY OF MIAMI SCHOOL OF LAW, 2010-present.

Professor of Law, June 2015-present; Associate Professor of Law, July 2010 – June 2015

Courses: Family Law, Criminal Law, Criminal Procedure, Elements

Seminars and Special Topics: First Amendment; Law, Policy, & Technology; Bias & the Law

Independent Studies: Death Penalty, LGBTQ Issues, Mass Incarceration, Law & Gender, Law & Technology

UNIVERSITY OF MIAMI COLLEGE OF ARTS AND SCIENCES, April 2016-present. *Affiliated Faculty, Philosophy Department*

CYBER CIVIL RIGHTS INITIATIVE, Aug. 2013-present. *Vice-President; Legislative & Tech Policy Director*

UNIVERSITY OF NAVARRA, PAMPLONA, SPAIN, Nov. 2013. *Visiting Professor*

Course: U.S. Criminal Law

UNIVERSITY OF CHICAGO LAW SCHOOL, Sept. 2008 – June 2010.

Bigelow Fellow and Lecturer in Law; Faculty Affiliate, Center for Gender Studies

Seminar: The Social Meaning of Crime; Course: Legal Research and Writing

THE SAB NEGOTIATION GROUP, CAMBRIDGE, MASSACHUSETTS, Fall 2007 – 2009. *Senior Consultant and Trainer*

HARVARD UNIVERSITY, Fall 2005 – June 2008 (Recipient of 4 Derek Bok Distinction in Teaching Awards) *Lecturer, Department of Social Studies; Teaching Fellow, Government, Philosophy, and English Departments*

Seminar: Shouting Fire: Laws and Limits of Free Speech

Courses: Intro to Social Theory; Justice; Existentialism in Literature & Film; Art & Thought of the Cold War

DEBEVOISE AND PLIMPTON, NEW YORK, 2006. *Summer Associate (received offer of permanent employment)*

INTERNATIONAL CRIMINAL COURT (ICC), THE HAGUE, NETHERLANDS, June – Aug. 2005.

Law Clerk/Visiting Professional, Office of the Prosecutor (Investigations Division)

QUINCY COLLEGE, QUINCY, MASSACHUSETTS, Jan. 2004 – Jan. 2005. *Adjunct Faculty, Department of Humanities*

Courses: Ethics, Introduction to Philosophy, World Religions

EDUCATION

HARVARD LAW SCHOOL, J.D., JUNE 2007 (CUM LAUDE)

Honors: National Association of Women Lawyers Outstanding Law School Student Award 2007
Chayes International Public Service Fellow 2005

Reginald Lewis International Internship 2005
Harvard Law School Association Alumnae Fellowship 2005

Activities: Senior Executive Editor, *Harvard Journal of Law & Gender*
Executive Editor, *Harvard Human Rights Journal*
Student Attorney, Criminal Justice Institute
Resident Tutor in Law, Eliot House

OXFORD UNIVERSITY, OXFORD, ENGLAND, D.PHIL., M.PHIL. (RHODES SCHOLAR, LOUISIANA AND WADHAM 1999)

- *D. Phil., Modern Languages and Literature*, January 2004
Doctoral Thesis: "Enjoying Women: Psychoanalysis, Sex, and the Political"
Examination Fields: Continental philosophy (ethics), psychoanalytic theory, gender theory, political theory
- *M. Phil., with distinction, European Literature (French and German)*, June 2001.

LOYOLA UNIVERSITY NEW ORLEANS, B.A., MAY 1999 (SUMMA CUM LAUDE)

Philosophy and English Literature double major, Classics minor
Honors: Ignatian (Presidential) Scholar; Phi Beta Kappa Outstanding Thesis Award
Activities: Founder and Editor-in-Chief of *sous rature* (philosophy journal)
President, Philosophy Society

RESEARCH INTERESTS

Constitutional law, criminal law, criminal procedure, First Amendment law, family law, cyberlaw, privacy, self-defense, free speech, discrimination.

PUBLICATIONS

Books

THE CULT OF THE CONSTITUTION: FUNDAMENTALISM IN AMERICAN LAW AND POLITICS (Stanford University Press, forthcoming 2018)

Articles

1. *Justice Beyond Dispute: Book Review of DIGITAL JUSTICE* (HARV. L. REV., forthcoming 2018).
2. *Revenge Porn Reform: A View from the Front Lines*, 69 FLA. L. REV (forthcoming spring 2018).
3. *The Desert of the Unreal: Inequality in Virtual and Augmented Reality*, 51 U. C. DAVIS L. REV. 499 (2017).
4. *Democratic Surveillance*, 30 HARV. J.L. & TECH 425 (2017).
5. *Men, Women, and Optimal Violence*, 3 U. ILL. L. REV. 929 (2016).
6. *Real Men Advance, Real Women Retreat: Stand Your Ground, Battered Women's Syndrome, and Violence as Male Privilege*, 68 MIAMI L. REV. 1099 (2014) (Eleventh Circuit issue).

7. *I Am/I Am Not: On Angela Harris's Race and Essentialism in Feminist Legal Theory*, 102 CAL. L. REV. 1053 (2014) (Festschrift for Angela Harris).
8. *Criminalizing Revenge Porn*, 49 WAKE FOREST L. REV. 345 (2014) (with Danielle Keats Citron).
9. *How to Feel Like a Woman, or, Why Punishment is a Drag*, 61 UCLA L. REV. 566 (2014).
10. *Sexual Harassment 2.0*, 71 MARYLAND L. REV. 655 (2012).
11. *When Bad Speech Does Good*, 43 LOY. CHI. L. J. 395 (2012) (Symposium issue).
12. *Lies, Damned Lies, and Judicial Empathy*, 51 WASHBURN L. J. 61 (2011).
13. *Unwilling Avatars: Idealism and Discrimination in Cyberspace*, 20 COLUM. J. GENDER & L. 224 (2011); excerpted in INTERNET LAW: CASES AND PROBLEMS (James Grimmelman, ed.).
14. *The Banality of Cyber Discrimination, or, The Eternal Recurrence of September*, 87 DU PROCESS 5 (2010) (Symposium issue).
15. *Guantánamo Forever: U.S. Sovereignty and the Unending State of Exception*, 1 HARV. L. & POL'Y REV. 259 (2007).
16. *What's Left of Pleasure?* 30 HARV. J. L. & GENDER 257 (2007) (Reviewing Janet Halley's SPLIT DECISIONS: HOW AND WHY TO TAKE A BREAK FROM FEMINISM).
17. *Obscene Undersides: Women and Evil between the Taliban and the US*, in FEMINIST PHILOSOPHY AND THE PROBLEM OF EVIL (Indiana Univ. Press, 2007) (originally published in HYPATIA: A JOURNAL OF FEMINIST PHILOSOPHY 18:1, 2003 (peer-reviewed journal)).
18. *Remote Locutions: Mediation, Alienation, and Superfluity in Cyberspace Ideology*, JANUS HEAD: JOURNAL OF INTERDISCIPLINARY STUDIES IN LITERATURE, CONTINENTAL PHILOSOPHY, PHENOMENOLOGICAL PSYCHOLOGY, AND THE ARTS (Duchesne University, peer-reviewed journal) 1:3 (1999).

Book Chapters

1. *Feminism and the First Amendment*, in RESEARCH HANDBOOK ON FEMINIST JURISPRUDENCE (Cynthia Bowman & Robin West, eds., Elgar's Legal Theory Research Encyclopedia Series, forthcoming 2018).
2. *Not Where Bodies Live: The Abstraction of Internet Expression*, in FREE SPEECH IN THE DIGITAL AGE (Susan Brison & Katharine Gelber, eds., Oxford Univ. Press, forthcoming 2018).
3. *There Ought to be a Law: The New Crime of "Revenge Porn"* in APPLIED ETHICS IN CRIMINAL LAW (Lawrence Alexander & Kimberly Ferzan, eds., Palgrave, forthcoming 2018).
4. *Injury Inequality*, in INJURY AND INJUSTICE: THE CULTURAL POLITICS OF HARM AND REDRESS (Anne Bloom et al, eds., Cambridge Univ. Press, forthcoming 2018).

5. *How to Stop Online Harassment*, in *MEDIATING MISOGYNY: GENDER, TECHNOLOGY, AND HARASSMENT* (Palgrave, 2018).
6. *How Stand Your Ground Laws Hijacked Self-Defense*, in *GUNS AND CONTEMPORARY SOCIETY: THE PAST, PRESENT, AND FUTURE OF FIREARMS AND FIREARM POLICY, VOL. 3* (Glen Utter, ed., ABC-CLIO, 2015).
7. *Where the Law Lies: The Costs of Constitutional Fictions*, in *LAW AND LIES: DECEPTION AND TRUTH-TELLING IN THE AMERICAN LEGAL SYSTEM* (Austin Sarat, ed., Cambridge Univ. Press, 2015).
8. *Real Men Advance, Real Women Retreat: Stand Your Ground, Battered Women's Syndrome, and Violence as Male Privilege*, *WOMEN AND THE LAW* (Tracy A. Thomas, ed., Thomson Reuters, 2015)
9. *An-aesthetic Theory: Adorno, Sexuality, and Memory*, in *FEMINIST INTERPRETATIONS OF ADORNO* (Penn State Press, 2006).
10. *(Porno)Graphic Depictions: Manufacturing an Erotics of Identity*, in *IMAGE INTO IDENTITY* (Rodopi, 2006).
11. *Von Sex und Andere Akte (Of Sex and Other Acts)*, in *ÜBER ZIZEK: PERSPEKTIVEN UND KRITIKEN* (Turia + Kant, 2004).
12. *Controlled Exposure: Gustave Courbet's 'L'origine du monde' and the Woman-Thing*, in *EXPOSURE: REVEALING BODIES, UNVEILING REPRESENTATIONS* (Peter Lang, 2004).
13. *Obscene Supplements, or, what we talk about when we talk about death*, in *POSTMODERN PRODUCTIONS* (Lit Verlag, 2001).

Essays, Op-eds, Blog Posts

1. *Moral Hazard on Stilts: 'Zeran's' Legacy*, The Recorder, Law.com (Nov. 10, 2017).
2. *The Conversation We Need to Have About Revenge Porn*, Refinery29, March 30, 2017.
3. *Whose Civil Liberties? Legislative Responses to Technology-Facilitated Violence Against Women*, ORTNER CENTER ON FAMILY VIOLENCE, Feb. 11, 2017.
4. *Stand Your Ground Laws Jeopardize Public Safety in the Name of Public Safety*, in *Issues: Understanding Controversy and Society*, ABC-CLIO, 2017.
5. *Revenge Porn is not free speech*, PROVIDENCE JOURNAL, Dec. 21, 2016.
6. *It's Time for Congress to Protect Intimate Privacy*, HUFFINGTON POST, July 18, 2016.
7. *Fears of attack on free speech are groundless*, PROVIDENCE JOURNAL, June 10, 2016.
8. *Why Hulk vs. Gawker is not About Privacy vs. Free Speech*, HUFFINGTON POST, March 23, 2016.

9. Unequal Exposure, Concurring Opinions Online Symposium on Bernard Harcourt's *Exposed: Desire and Disobedience in the Digital Age*, March 18, 2016.
10. The Fight Against Digital Abuse: The View from the US, Women's Aid International Day Opposing Violence against Women Conference 2015, Dec. 2015.
11. Censoring Women, BOSTON U. L. REV. ANNEX: Online Symposium on Danielle Citron's *Hate Crimes in Cyberspace*, Oct. 2015.
12. Who's Afraid of "Hot Girls"? HUFFINGTON POST, June 26, 2015.
13. How to Defeat Revenge Porn: First, Recognize It's About Privacy, Not Revenge, HUFFINGTON POST, June 22, 2015.
14. Supreme Court May Have Made Online Abuse Easier, TIME, June 3, 2015 (with Soraya Chemaly).
15. The ACLU's Frat House Take on "Revenge Porn," HUFFINGTON POST, April 1, 2015.
16. Protecting Sexual Privacy: New York Needs a 'Revenge Porn' Law, ATTICUS (Publication of the New York State Association of Criminal Defense Lawyers), Winter 2015, 15-21.
17. 'Revenge porn' law is flawed, but suit goes too far, LOS ANGELES DAILY JOURNAL, Oct. 23, 2014.
18. Why Nonconsensual Porn Should be a Sex Crime, DAILY DOT, Oct. 9, 2014.
19. The Need for Sexual Privacy Laws, BROOKINGS INSTITUTION, Sept. 9, 2014.
20. Precautions and Privacy, NEW YORK DAILY NEWS, Sept. 3, 2014
21. The Internet's Privacy Hypocrisy, DAILY DOT, Sept. 3, 2014.
22. The Many Ways Twitter is Bad at Responding to Abuse, THE ATLANTIC, Aug. 14, 2014.
23. Presumed Unworthy, HUFFINGTON POST, Aug. 13, 2014.
24. Drafting An Effective "Revenge Porn" Law: A Guide for Legislators, SSRN, 2014.
25. Does California's "Revenge Porn" Law Pass Muster? DAILY JOURNAL, May 6, 2014.
26. It's Simple: Criminalize Revenge Porn, Or Let Men Punish Women They Don't Like, THE GUARDIAN, April 17, 2014 (with Danielle Citron).
27. Stand Your Ground's Woman Problem: Laws Expanding Self-Defense Raise Questions about Gender as Well as Race, HUFFINGTON POST, March 3, 2014.
28. Why Revenge Porn Must be a Crime, NEW YORK DAILY NEWS, Feb. 26, 2014.
29. We Need New Laws to Put a Stop to Revenge Porn, THE INDEPENDENT, Feb. 23, 2014.

30. *Free Speech Elitism: Harassment is not the Price 'We' Pay for Free Speech*, HUFFINGTON POST, Jan. 23, 2014.
31. *The Lawless Internet? Myths and Misconceptions about CDA Section 230*, HUFFINGTON POST, Dec. 18, 2013.
32. *Combating Non-Consensual Pornography: A Working Paper*, SSRN, 2013.
33. *Criminalizing Revenge Porn: Frequently Asked Questions*, SSRN, 2013.
34. *Everything but the Gun: Profiling, Prevention, and Crime*, MIAMI LAW MAGAZINE, 2013.
35. *The Insistence of Lacan on Woman as the Letter*, THE SYMPTOM ISSUE 2 (2002).

Concurring Opinions Guest Blog Posts:

36. *Legal Developments in Revenge Porn: An Interview with Mary Anne Franks*, Oct. 10, 2013.
37. *More Thoughts on the Dangerous Fragility of Men*, March 4, 2013.
38. *The Dangerous Fragility of Men*, Feb. 28, 2013.
39. *Why We Need a Federal Criminal Law Response to Revenge Porn*, Feb. 15, 2013.
40. *Why You Can't Punch a Boxer in the Face When He Asks You for Directions: Consent, Context, and Humanity*, Feb. 9, 2013.
41. *Adventures in Victim Blaming: Revenge Porn Edition*, Feb. 1, 2013.
42. *The Normative Jurisprudence of Creepshots*, (contribution to symposium on Robin West's NORMATIVE JURISPRUDENCE), Oct. 22, 2012.
43. *The Sext Wars: Consent, Secrecy, and Privacy*, March 31, 2011.
44. *For the Love of Hate: Why We Have Little to Fear From the Westboro Baptist Church*, March 8, 2011.
45. *From Tailhook to Tahrir Square*, Feb. 28, 2011.
46. *That Obscure Object of Concern: Selective Feminism and the Rise of Anti-Sharia Laws*, Feb. 16, 2011.
47. *Victims to the Left of Me, Accusers to the Right: Does Bobby Franklin Know Something We Don't About Rape?* Feb. 6, 2011.
48. *There are No Children in Afghanistan*, Feb. 4, 2011.

Prawfsblawg Guest Blog Posts:

49. *A Philosopher and a Psychoanalysis Walk into a Classroom, Redux*, Jan. 31, 2011.

50. *A Philosopher and a Psychoanalyst Walk into a Classroom*, Jan. 27, 2011.
51. *Please don't think of the children, or, what we talk about when we talk about bullying*, Jan. 24, 2011.
52. *Rethinking Proportional Force*, Jan. 17, 2011.

Works in Progress
(Drafts available on request)

A Dangerous Fragility: Masculinity, Vulnerability, and Harm

"So Great a Favourite": Coverture, Conspiracy, and Crime

LEGISLATIVE, ADVOCACY, AND CONSULTING WORK

Legislative

Federal: Primary drafter of the *Intimate Privacy Protection Act* (IPPA), a federal criminal statute protecting sexual privacy introduced by Congresswoman Jackie Speier (D-CA) on July 14, 2016; reintroduced as *Ending Nonconsensual Online User Graphic Harassment (ENOUGH) Act of 2017* in November 28, 2017. (2015-present).

Advising members of Congress, including Congresswoman Katherine Clark (D-MA), Senator Dianne Feinstein (D-CA), Senator Mark Kirk (R-IL), and Senator Elizabeth Warren (D-MA) on legislation relating to privacy, online harassment, interstate threats, and extortion (2016-present).

State: Assisted legislators in 32 states and the District of Columbia in drafting or evaluating legislation against non-consensual distribution of intimate images (also called "revenge porn"), more than two dozen of which have successfully enacted legislation, including California, Florida, and Illinois (2013-present).

Reporter for the Uniform Law Commission (ULC) Drafting Committee on the Civil Remedies for the Unauthorized Disclosure of Intimate Images Act (2016-present).

International: Advised legislators in United Kingdom and Iceland regarding the drafting of "revenge porn" laws, 2014-16.

Amicus Briefs and Expert Testimony

Expert witness in class-action suit involving nonconsensual pornography, Winnipeg, Canada, Sept. 2017-Feb. 2018.

Co-authored amicus brief in *State of Vermont v. Rebekah S. VanBuren* (Vermont Supreme Court, 2017) (appealing ruling that Vermont's nonconsensual pornography law violates the First Amendment),

Feb. 2017.

Testified at the Bipartisan Task Force to End Sexual Violence Congressional Briefing on Online Violence & Harassment, July 14, 2017.

Testified against Florida Senate Bill 68 seeking to expand concealed-carry to college campuses, Tallahassee, FL, Oct. 2015.

Testified regarding the constitutionality and effectiveness of proposed legislation against nonconsensual pornography in several states (2014-present).

Provided expert report in Canadian Judicial Council inquiry regarding Judge Lori Douglas, Manitoba, Canada, 2014.

Advocacy and Consulting

Consultant with Google, Twitter, Facebook, and Microsoft on development of internal policies regarding online harassment and privacy issues, 2014-present.

Observer, Uniform Law Commission's Study Committee on "Revenge Porn," 2015-2016.

Member, California Attorney General Kamala Harris's Working Group on Cyber Exploitation, 2015-2016.

Co-producer and legal expert, *Hot Girls Wanted*, Emmy-nominated documentary on the "professional amateur" pornography industry, 2014.

Expert consultant for episodes of television programs including *Last Week Tonight with John Oliver*, *Full Frontal with Samantha Bee*, and *CSI: Cyber*, 2014-2016.

INVITED LECTURES

1. *Intimate Privacy*. Center for Professional and Applied Ethics, University of North Carolina Charlotte, Charlotte, NC, March 2018.
2. *Black Lives Matter and Constitutional Fundamentalism*. University of Miami School of Law, Miami, FL, Feb. 22, 2018.
3. *Telling Stories* (keynote address), From #MeToo to #NowWhat: The Role of Law in Responding to the #MeToo Social Media Campaign, Brandeis School of Law, Louisville, KY, February 9, 2018.
4. *The Cult of the Constitution*. Faculty Workshop, Vanderbilt University Law School, Nashville, TN, January 2018.
5. *Revenge Porn Reform*. University of Florida, Center for Gender, Sexualities, and Women's Studies Research, Gainesville, FL, November 2017.

6. *Free Speech Elitism*. Agnes Scott College, Decatur, GA, November 2017.
7. *The Constitutional Cult*. Faculty Workshop, University of Maryland, Baltimore, MD, September 2017.
8. *Equality by Design: Race, Gender, and Technology*. Microsoft Latin America Corporate & Legal Affairs Summit 2017, Miami, FL, August 2017.
9. *First Amendment Fanaticism*. Yale Law School, Hartford, CT, April 2017.
10. *Revenge Porn Reform: A View from the Front Lines*. George Washington University School of Law, Washington D.C., Oct. 2016.
11. *Revenge Porn Reform: A View from the Front Lines*. Drake University Law School, Des Moines, IA, Sept. 2016.
12. *Guns, Speech, and Sex: The Rise of Constitutional Extremism*. Constitution Day Lecture, Drake University Law School, Des Moines, IA, Sept. 2016.
13. *Valuing Privacy*. Guest Lecture for Professor Arden Rowell's Valuation class, Harvard Law School, Cambridge, MA, April 2016.
14. *How to Defeat "Revenge Porn."* Center for Professional and Applied Ethics, University of North Carolina Charlotte, Charlotte, NC, March 2015.
15. *Fighting Revenge Porn in the US* (keynote address). More than Revenge: Developing Effective Law Reform to Address the Harms of "Revenge Pornography," Monash Law Chambers, Melbourne, Australia, Feb. 2016.
16. *Fighting Fundamentalism*. Skepticon 8, Springfield, MO, Nov. 2015.
17. *Women's Online Equality*. International Conference on the 100 Years' Anniversary of Women's Suffrage in Iceland, Reykjavik, Iceland, Oct. 2015.
18. *Privacy and Privilege* (keynote address). International Congress on Privacy, University of Passau, Germany, Oct. 2015.
19. *The Legal Consequences and Challenges of Online Abuse*. Marbury Institute, DLA Piper, Miami, FL, July 2015.
20. *Shutting Down "Revenge Porn": Progress and Challenges*. Talks-at-Google, Google Headquarters, Mountain View, CA, June 2, 2015.
21. *Challenging the Gospel: "Revenge Porn" Reform and Its Critics*. Regulation of Family, Sex, and Gender Workshop, University of Chicago Law School, IL, April 29, 2015.
22. *"Revenge Porn" and the Law*. University of California Irvine School of Law, Irvine, CA, March 2015.

23. *Responding to "Revenge Porn"* (keynote address). Florida Coalition Against Domestic Violence Regional Training, Palm Beach County, FL, Jan. 2015.
24. *Combating Nonconsensual Pornography*. Google Headquarters, Mountain View, CA, Dec. 2014.
25. *The Other Chilling Effect: Equality, Online Abuse, and Free Expression*. Facebook's Safety Speaker Series, Facebook Headquarters, Menlo Park, CA, Dec. 2014.
26. *Developments in Cyberlaw: Focus on Online Abuse*. Dartmouth College Ethics Institute, University of Miami School of Law, Miami, FL, Dec. 2014.
27. *Reproductive Rights: The Shifting Legal Landscape*. University of Miami Medical Students for Choice, University of Miami Medical School, Miami, FL, Sept. 11, 2014.
28. *Internet Inequality as a Civil Rights Issue*. Association for Education in Journalism and Mass Communication (AEJMC) Commission on the Status of Women Luncheon, Montreal, Canada, Aug. 8, 2014.
29. *Revenge Porn: A Survivor's Story & The Social Context* (plenary address). National Network to End Domestic Violence 2nd Annual Technology Summit, San Jose, CA, July 30-31, 2014.
30. *Internet Rights and Wrongs*. 2014 Washington Superior Court Judges' Spring Program, Stevenson, WA, April 28, 2014.
31. *Revenge Porn and Other Cyber Crimes*. National Victims of Crime Awareness Week, North Bay, Canada, April 8, 2014.
32. *The Legal Landscape of Reproductive Rights*. University of Miami Medical Students for Choice, University of Miami Medical School, Miami, FL, Dec. 12, 2013.
33. *Non-Consensual Pornography and the Law*. Google Headquarters, Mountain View, CA, Sept. 26, 2013.
34. *Equal Protection and the Internet*. Washington 55th Annual Judicial Conference, Wenatchee, WA, Sept. 23, 2013.
35. *The Vulnerability Tax*. American Association of Law Schools Section on Law and Humanities, New Orleans, LA, Jan. 5, 2013.
36. *The War on Women is a War on Health*. University of Miami Medical Students for Choice, University of Miami Medical School, Miami, FL, Oct. 31, 2012.
37. *Bias in the Courtroom*. Literature and the Law Conference, Marker Law & Mediation & J. Reuben Clark Society (University of Miami Student chapter), Miami, FL, Oct. 26, 2012.
38. *'So Great a Favourite': Coverture's Long Shadow*. Legal Theory Colloquium, University of Illinois Law School, IL, Jan. 26, 2012.
39. *Myths and Realities of Sexual Assault*. University of Arkansas at Monticello, Monticello, AR,

April 26, 2011.

40. *How to Feel Like a Woman*, Regulation of Family, Sex, and Gender Workshop, University of Chicago Law School, IL, April 14, 2010.
41. *Unwilling Avatars: Idealism and Objectification in Cyberspace*. Regulation of Family, Sex, and Gender Workshop, University of Chicago Law School, Chicago, IL, April 29, 2009
42. *Love Your Neighbor (To Death): Freud on Love, Sex, and Death*. Lecture at Harvard University, Cambridge, MA, April 1, 2008.
43. *Placing Guantánamo: Torture, Terror, and the Zone of Indistinction*. Lecture at Amherst College, Amherst, MA, May 2007.
44. *Breaking Down and Breaking Away: Film, Feminism, and Fantasy*. Lecture at Harvard University, Cambridge, MA, April 2007.
45. *Particulars about the Universal: Gender and Human Rights*. Guest lecture, Human Rights: Translating Theory to Practice, Boston College, Boston, MA, Sept. 2006.
46. *The Philosophy of Misogyny*. Guest lecture in Diane Rosenfeld's course Gender Violence, Law, and Social Justice, Harvard Law School, Cambridge, MA, March 2005.
47. *The Mismeasure of Knowledge: Pedagogy and Postmodernism*. Quincy College Faculty Workshops, Quincy, MA, May 2004.
48. *Nothing to see here: Sex, Sight, and the Body in Ingeborg Bachmann and Jean Baudrillard*. Institut für Wissenschaft und Kunst (Institute for Arts and Sciences) Feministische Theorie und Frauenforschung (Feminist Theory & Women's Studies Lecture Series). Vienna, Austria, April 2001.

SELECTED CONFERENCE PRESENTATIONS, PANELS, DEBATES, & COMMENTARIES

1. *Come Heller High Water: The Second Amendment Fight*. Debate with Alan Gura sponsored by the Miami Law Federalist Society, Miami, FL, Feb. 21, 2018.
2. *Cyber Confidential: The Challenge of Revenge Porn*. Microsoft Digital Crimes Consortium, Honolulu, HI, March 2017.
3. *Intersectional Privacy*. University of Maryland Law Review Cyberlaw Symposium, Baltimore, MD, Feb. 2017.
4. *Augmented Inequality*. University of California Davis Law Review 50th Anniversary Symposium, Davis, CA, Jan. 2017.
5. *"Revenge Porn" Reform in the United States*. International Conference on Revenge Porn, Taipei Women's Rescue Foundation, Taipei, Taiwan, Oct. 2016.

6. *Emerging Legislation on Technology-Facilitated Violence Against Women*. Violence Against Women: Protection and Peril, Ortner Center on Family Violence, University of Pennsylvania, Philadelphia, PA, Oct. 2016.
7. *First Amendment in a New Media Environment*, Allen L. Poucher Lecture, University of Florida Levin College of Law, Gainesville, FL, Nov. 9, 2017.
8. *Cybercrime Symposium 2017: When Cybercrime Turns Violent and Abusive*, Department of Justice Computer Crime and Intellectual Property Section, University of Maryland Law School, Baltimore, MD, September 2017.
9. *Nonconsensual Pornography and Minors: Legislative Entanglements*, Southeastern Association of Law Schools 2017 Conference, Boca Raton, FL, July 2017.
10. *Legislating Revenge Porn*, *Harvard Journal of Law & Technology*, Harvard Law School, Cambridge, MA, April 2017.
11. *Cyber Trolls, Death Threats and the First Amendment*, Jonathan Samen Hot Buttons, Cool Conversation, Jewish Community Centers of Greater Boston, Newton, MA, March 2017.
12. *Webinar: The Legal Landscape - Painting the Big Picture of Sexual Privacy (Part 2)*, American Bar Association, Section of Civil Rights and Social Justice Rights of Women, Miami, FL, March 2017.
13. *Who's Afraid of Revenge Porn Reform?* Law and Society Association Conference, New Orleans, LA, June 2016.
14. *First Amendment Fundamentalism*. Law and Society Association Conference, New Orleans, LA, June 2016.
15. *Don't Feed the Trolls - Balancing Victims' Rights, Privacy, and the First Amendment in Responding to Internet Harassment*. 29th Annual Media and the Law Seminar, Kansas City, Missouri, April 2016.
16. *Doxing, Swatting, Trolls, and SJWS: Harassment and Gender Discrimination on Social Media Platforms*. American Bar Association, Committee on Copyright and Social Media, Bethesda, MD, April 2016.
17. *The Offline Consequences of Online Discrimination*. Inclusiveness Conference, University of Miami College of Arts & Sciences, Miami, FL, April 2016.
18. *Critical Legal Studies: Feminist Legal Theory and Critical Race Theory*. Guest Lecture for Profs. James Nickel & Patricia White's Philosophy in Law class, University of Miami, FL, April 2016.
19. Commentator on Peter Asaro, *Will #BlackLivesMatter to RoboCop?* We Robot Conference, University of Miami School of Law, April 2016.
20. *Trolls, Threats and Online Free Speech* (sponsored by PEN America). RightsCon 2016, San Francisco, CA, April 2016.

21. *Is A Safer, Saner & Civil Internet Possible?* South by Southwest (SXSW) Interactive Online Harassment Summit, Austin, TX, March 2016.
22. *Twitter Trust and Safety Symposium*. Twitter Headquarters, San Francisco, CA, February 2016.
23. *“Revenge Porn”: Emerging Law and Technology*. Intimate Partner Violence and Nonconsensual Pornography: Promoting Awareness and Examining Best Practices, New York City Mayor's Office to Combat Domestic Violence, New York, NY, Jan. 2016.
24. *Tackling Violence Against Women in Politics: Toward a Global Consensus*. National Democratic Institute, Washington, D.C., Dec. 2015.
25. *Twitter Speech and Safety Summit*. Twitter Headquarters, San Francisco, CA, July 2015.
26. *International Workshop on Misogyny and the Internet*. Harvard University, Cambridge, MA, June 2015.
27. *Violence Against Women (Plenary Panel)*. American Association of Law Schools Workshop, Next Generation Issues of Sex, Gender, and Law, Orlando, FL, June 2015.
28. *The Summit on Pornography, Youth, and Sexual Socialization* (moderated by Rashida Jones). Harnisch Foundation. Indiana University, Bloomington, IN, June 2015.
29. *Information Law Policy Workshop: Discussion of Scott Peppet’s “What if Everything Reveals Everything?”* Fordham Center on Law and Information Policy, Fordham Law School, NY, April 2015.
30. *The Democratization of Surveillance*. Privacy Law Scholars Conference, Berkeley, CA, June 2015; Brooklyn Law School, NY, March 2015.
31. *Online Harassment, Free Speech, and Civil Rights*. Wisconsin Journal of Law & Gender & Society Symposium, Wisconsin Law School, Madison, WI, March 2015.
32. *Technology and Sexual Privacy*. Congressional Internet Caucus Advisory Committee’s Congressional Briefing, Washington D.C., Nov. 2014.
33. *A Dangerous Fragility: Masculinity, Vulnerability, and Harm*. An Uncomfortable Conversation: The Universal and the Particular, Vulnerability and Identities II, University of Miami School of Law (co-organizer), Nov. 2014.
34. *Where the Law Lies: Constitutional Fictions and Their Discontents*. Symposium: Law and Lies, University of Alabama Law School, Tuscaloosa, AL, Oct. 2014.
35. *Injury Inequality*. Injury as Cultural Practice Symposium, Loyola Law School Los Angeles, CA, Sept. 2014.
36. *Human Trafficking: How Social Media Facilitates and Helps Fight it*. Social Media Week Miami, Miami Dade College, Miami, FL, Sept. 26, 2014.

37. *Hobby Lobby: According to the Constitution* (Constitution Day Event). With Matt Bowman. American Constitution Society & Federalist Society, University of Miami School of Law, Miami, FL, Sept. 17, 2014.
38. *Revenge Porn: A Constitutional Debate*. American Civil Liberties Union (Univ. of Miami Law School Chapter), University of Miami School of Law, Miami, FL, Aug. 28, 2014.
39. *Revenge Porn, Voyeurism, Consent, and Anonymity: Implications for Feminism and Digital Media Law*. Association for Education in Journalism and Mass Communication (AEJMC) Research Panel, Montreal, Canada, Aug. 8, 2014.
40. *Social Media as Weapon*. University of Chicago Institute of Politics Seminar, Chicago, IL, May 15, 2014.
41. *Revenge Porn and Intellectual Property*. University of Washington School of Law, Seattle, WA, May 1, 2014
42. *Who's Afraid of the Internet?* University of Washington School of Law, Seattle, WA, May 1, 2014
43. Commentator on Woodrow Hartzog et al, *A Conservation Theory of Governance for Automated Law Enforcement*. We Robot Conference, University of Miami School of Law, Miami, FL, April 5, 2014.
44. *Revenge Porn and Intimate Partner Violence*. Converge, Re-Imagining the Movement to End Gender Violence, University of Miami School of Law, Miami, FL, Feb. 7-8, 2014.
45. *Cross Industry Best Practices Summit on Revenge Porn*. Facebook Headquarters, Menlo Park, CA, Feb. 2014.
46. *Life Imitating Art: Gender Roles and Sex Stereotypes in Hip-Hop*. With Profs. Zanita Fenton, Osamudia James, & Don Jones. Black Students Law Association, Law Students for Reproductive Justice, University of Miami School of Law, Miami, FL, Oct. 22, 2013.
47. *On Angela Harris's "Race and Essentialism in Feminist Legal Theory."* Festschrift Symposium in Honor of Angela Harris, University of California Berkeley School of Law, Berkeley, CA, Sept. 27, 2013.
48. *A Constitutional Debate: Original Intent v. A Living Constitution* (Constitution Day Event). With Krisanne Hall. American Constitution Society, Federalist Society, University of Miami School of Law, Miami, FL, Sept. 17, 2013.
49. *Everyday Sexism*. With Prof. Donna Coker. Law Students for Reproductive Justice, University of Miami School of Law, Miami, FL, Sept. 5, 2013.
50. *Clicks and Stones: Cyberbullying, Digital Citizenship and the Challenges of Legal Response*, University of Toronto Faculty of Law, Toronto, Canada, May 3, 2013.
51. *Protecting Sexual Privacy in the Internet Age: The Rise of Revenge Porn and How to Stop It*.

- Washington State Supreme Court Gender & Justice Commission, Olympia, WA, April 30, 2014.
52. *Men, Women, and Optimal Violence*. Criminal Justice Center's Junior Scholars Conference, University of Florida Law School, Gainesville, FL, March 30, 2013;
 53. *High Capacity: Guns, Gun Rights, and School Violence*. With Alan Gura, Esq. (counsel in *Heller* and *McDonald*). American Constitution Society, Federalist Society, and Child Advocacy & Family Law Society, University of Miami School of Law, Miami, FL, April 18, 2013.
 54. *The Unequal Burden of Cyber Discrimination*. Power and Reach of the Internet, National Association of Women Judges Annual Conference, Miami, FL, Nov. 9, 2012.
 55. Commentator on Woodrow Hartzog et al, *Confronting Automated Law Enforcement*. We Robot Conference, University of Miami School of Law, Miami, FL, April 21, 2012.
 56. *Queer Minds and Queer Bodies: How Law and Medicine Affect the Transgender and Intersex Communities*. SpectrUM, University of Miami, Miami, FL, April 10, 2012.
 57. *Optimal Violence*, New Voices in Legal Theory Roundtable (co-host), University of Miami School of Law, April 27, 2012.
 58. *The Merits of Overreaction: Responding to Aggregate Asymmetries of Force*. International Conference on the Victims of Crime in the Public and Legal Arenas, Bar Ilan University, Tel Aviv, Israel, March 14, 2012.
 59. Commentator on Bennett Capers, *Real Women, Real Rape* (Criminal Justice Colloquium, University of Miami School of Law, Miami, FL, March 22, 2012.
 60. *Defense of Marriage Act*. With Profs. Mary Coombs, Zanita Fenton, Pat Gudridge, and Frank Valdes. Outlaw, University of Miami School of Law, Miami, FL, March 31, 2011.
 61. *The Death Penalty in the 21st Century*. With Profs. Scott Sundby and Stephanos Bibas (University of Pennsylvania School of Law). American Constitutional Society, Federalist Society, & Catholic Society, University of Miami School of Law, Miami, FL, March 7, 2012.
 62. *How to Feel Like a Woman, or, Why Punishment is a Drag*. New Voices in Gender Studies, AALS Annual Conference, Washington DC, Jan. 5, 2012.
 63. *Gender and the Genocidal Script*. Hate Speech, Incitement, and Genocide: 2011 Loyola University Chicago Law Journal Conference, Chicago, IL, April 8, 2011.
 49. *From Coverture to Conspiracy and Back Again: Women, Coercion, and Crime*. Workshop on Criminal Justice, 2011 AALS Annual Meeting, San Francisco, CA, Jan. 6, 2011.
 50. *The Case Against Complexity in Globalized Jurisprudence*. William Twining Symposium, University of Miami Law School, Miami, FL, Jan. 22, 2011.
 64. *The Criminalization of HIV Transmission*. With Profs. Mary Coombs and Don Jones. HOPE Public Interest Resource Center and Outlaw, University of Miami School of Law, Miami, FL,

Oct. 26, 2010.

65. *The Constitutionality of "Don't Ask, Don't Tell."* With Profs. Charlton Copeland and Don Jones. American Constitution Society, University of Miami School of Law, Miami, FL, Oct. 7, 2010.
66. *Sexual Harassment 2.0.* Cyberlaw Colloquium, American University Washington College of Law, Washington, D.C., April 30, 2010.
67. *Title VII and Title IX in the Internet Age.* Cyber Civil Rights Symposium, Denver University Law Review, Denver, CO, Nov. 20, 2009.
68. *The Future of Guantánamo.* With Prof. Eric Posner. Sponsored by the ACLU (University of Chicago chapter). University of Chicago, Chicago, IL, March 5, 2009.
69. *Believing Our Eyes: U.S. Policy on Women's Rights in Iraq and Afghanistan.* Panel on Women and International Armed Conflict. Sponsored by the University of Chicago Law Women's Association. University of Chicago Law School, Chicago, IL, Oct. 27, 2008.
70. *Fates Worse Than Death? Race, Gender, and Genocide in Gujarat and Rwanda.* Society for the Philosophical Study of Genocide and the Holocaust, Memphis, TN, Oct. 2004.
71. *Desire, Despair – The Language is Leaving: Of Masters, Masochists, and Neighbors.* Fifth Annual University of South Carolina Comparative Literature Conference: The Desire of the Analysts: Psychoanalysis and Cultural Criticism in the New Millennium, Columbia, SC, Feb. 2003.
72. *Of Sex and Other Acts: Violence and Resistance in Slavoj Zizek and Judith Butler.* International Philosophical Seminar (IPS) XII: Reading Slavoj Zizek's *Ticklish Subject*. Alto Adige/Südtirol, Italy, July 2002.
73. *Sex/Marks/Bodies: Death and the Maiden in South Africa and Afghanistan.* InterMedialities, International Association of Philosophy & Literature (IAPL) Conference. Rotterdam, the Netherlands, June 2002.
74. *Controlled Exposure: Courbet's L'origine du monde and the Containment of the Woman/Object.* Sixth Cambridge French Studies Conference: Exposure. Cambridge University, Cambridge, UK, March 2002.
75. *Feminism and the Sex Industry.* Forum on International Feminisms. Oxford University, Oxford, UK, April 2001.
76. *Woman Does Not Exist: Fantasy, Otherness, and the Taliban Regime in Afghanistan.* Society for the Philosophical Study of Genocide and the Holocaust (SPSGH), American Philosophical Association (APA Eastern) 2000. New York City, NY, Dec. 2000.
77. *Obscene Supplements, or, what we write about when we write about death.* PostModern Productions: text power knowledge. Erlangen, Germany, Nov. 2000.
78. *Crimes of Anti-Memory: Women, Rape Warfare, and Genocide.* American Philosophical Association (APA Eastern), Boston, MA, Dec. 1999.

AWARDS

Mary E. Doyle Award, Miami Law Women, 2017

Daily Dot “Internet Freedom Hero” ([2015](#), [2014](#))

“Women Making History” Award, Florida Association of Women Lawyers (FAWL), Miami-Dade Chapter (2015)

Daily Business Review Top 20 Women in Law (2015)

Miami New Times [People of the Year](#) (2013)

Rhodes Scholarship (Louisiana & Wadham 1999)

OTHER ACTIVITIES

Co-Leader of *Sex, Drugs, and Rock ‘n’ Roll: Social Vices and the Constitution in Popular Culture* (3-day constitutional law seminar for educators), Center for the Constitution, Montpelier, VA, March 2018.

Huffington Post Contributor, 2013-2018.

Author of the blog [Moving Targets](#), 2013-present.

Krav Maga Instructor, I Am Elite Krav Maga, 2011-present.

Faculty Advisor, University of Miami Law Students for Reproductive Justice, 2011 - present.

Faculty Advisor, University of Miami Child Advocacy Family Law Society, 2011 - present.

Section on Jurisprudence, American Association of Law Schools - Chair 2015 – 2016; Executive Committee 2017-present, 2014-2015.

Rhodes Selection Committee (District X), 2008 – 2010.

PROFILES & INTERVIEWS

Glamour, [Can a Feminist Like Porn?](#) June 2015 (interviewed by Rashida Jones).

CBS Miami, “[Women to Watch](#),” May 20, 2015.

Bitch Magazine, [Information Superhighway Patrol: For Mary Anne Franks, Cyber Harassment is a Civil Rights Issue](#), Spring 2015.

Daily Dot, [Meet the Krav Maga-Fighting Law Professor Behind U.S. Revenge Porn Laws](#), April 15, 2014.

Miami New Times, Mary Anne Franks, Dangerous Mind, November 28, 2013.

Ocean Drive Magazine, Local Law Professor Promotes Self-Defense, May 28, 2013.

The Rhodes Project, Profile with Mary Anne Franks, 2013.

SELECTED MEDIA

Over 300 documentary, television, radio, and print interviews since 2011 on a wide variety of topics ranging from “revenge porn” to Stand Your Ground laws to police brutality, including interviews with the BBC, Christian Science Monitor, Chronicle of Higher Education, CNN, Cosmopolitan, Esquire, Glamour, the Guardian, Le Monde, the New Yorker, the New York Times, NPR, Poynter, Rolling Stone, Salon, Slate, TIME magazine, the Today Show, USA Today, the Wall Street Journal, the Washington Post, Wired, and many others.

The following is a short list of recent, representative interviews. A complete list is available on request.

TV/Video

1. *Netizens* (documentary) (forthcoming 2017).
2. Vice News (HBO), Defending Alt-Right Trolls, July 27, 2017.
3. CNN, Hunt for Facebook Murder Suspect Ends With His Suicide, April 18, 2017.
4. Fusion, Miami Porn: Sex Work in the Sunshine State (documentary), premiered July 19, 2015.
5. The Today Show, The Trial of the Girlfriend-Adopting Millionaire, March 6, 2012

Radio & Podcasts

1. NPR, 1A, Sex Crimes in Cyberspace, March 9, 2017.
2. BBC, Conversations with a Hacker, Jan. 15, 2017.
3. The Takeaway, Legal Experts Remember Scalia's Best and Worst Opinions, Feb. 19, 2016.
4. National Public Radio, All Things Considered, Calif. Bans Jilted Lovers From Posting ‘Revenge Porn’ Online, Oct. 2, 2013

Print

1. Le Monde, La lutte contre le « revenge porn » avance à petits pas, Dec. 25, 2017.
2. CNN, Death threats are forcing professors off campus, Dec. 21, 2017.

3. New York Times, Reddit Bans 'Incel' Group for Inciting Violence Against Women, Nov. 10, 2017.
4. Engadget, Twitter's dilemma: What to do with Trump, Aug. 16, 2017.
5. BBC, Michelle Carter: What the texting suicide case tells us, June 17, 2017.
6. USA Today, Texting suicide verdict could set bad precedent, legal experts say, June 17, 2017.
7. Vocativ, Survey: 1 in 20 Social Media Users Have Shared Nonconsensual Porn, June 12, 2017.
8. CNN, Facebook's imperfect fight against revenge porn, June 1, 2017.
9. Wired, A Campus Murder Tests Facebook Clicks as Evidence of Hate, May 23, 2017.
10. Washington Post, Why Facebook's censorship problem may not get any better any time soon, May 22, 2017.
11. The Trace, Florida's Expanded 'Stand Your Ground' Law Has Prosecutors Sounding the Alarm, May 16, 2017.
12. Wired, A Court Order to Terminate Hate Speech Tests Facebook, May 9, 2017.
13. Rolling Stone, How Two Marines Helped Bring Down Revenge Porn on Facebook, May 5, 2017.
14. Vice, 'Our Society's Deep Sexual Dysfunction': Why It's So Hard to Stop Revenge Porn, March 17, 2017.
15. Wall Street Journal, Facebook, Rushing into Live Video, Wasn't Ready for Its Dark Side, March 6, 2017.
16. BBC, Should you be allowed to delete yourself from the internet? Jan. 16, 2017.
17. The New Yorker, The Attorney Fighting Revenge Porn, Dec. 5, 2016.
18. The Guardian, Florida executions on hold after court rules death penalty unconstitutional, Oct. 15, 2016.
19. Esquire, Why Did This New Revenge Porn Law Fail? Or Did It? June 23, 2016.
20. New York Times, Peter Thiel, Tech Billionaire, Reveals Secret War With Gawker, May 25, 2016.
21. New York Times, As 'Sextortion' Proliferates, Victims Find Precarious Place in Legal System, May 10, 2016.
22. Poynter, NFL Would Face uphill battle in legal clash with New York Times, experts say, March 30, 2016.

23. New York Times, Google to Remove 'Revenge Porn' Images from Search Results, June 19, 2015.
24. CNN, Google bans revenge porn, June 19, 2015.
25. TIME, A Million Peeping Toms: When Hacking is Also a Hate Crime, Oct. 14, 2014.
26. Chronicle of Higher Education, On Campus, Grenade Launchers, M-16s, and Armored Vehicles, Sept. 11, 2014.
27. Pacific Standard, The Next Civil Rights Issue: Why Women Aren't Welcome on the Internet, Jan. 6, 2014.
28. New York Times, Victims Push Laws to End Online Revenge Posts, Sept. 23, 2013
29. The New Yorker, The Story of Amanda Todd, Oct. 18, 2012