

SUSAN D. ROZELLE

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STETSON UNIVERSITY COLLEGE OF LAW, Gulfport, FL

Professor of Law, Fall 2010-present

Associate Dean for Academic Affairs, Summer 2016-Summer 2018

Associate Dean for Faculty, Summer 2014-Summer 2016

Associate Professor (tenured), Fall 2009-Summer 2010

Courses Taught: Criminal Law, Evidence, Criminal Procedure: Investigation, Criminal
Procedure: Adjudication, Criminal Responsibility Seminar

CAPITAL UNIVERSITY LAW SCHOOL, Columbus, OH

Associate Professor (tenured), Fall 2008-Summer 2009

Associate Professor (pre-tenure), Fall 2006-Summer 2008

Assistant Professor, Fall 2003-Summer 2006

UNIVERSITY OF OREGON SCHOOL OF LAW, Eugene, OR

Visiting Associate Professor, Fall 2007-Spring 2008

SEATTLE UNIVERSITY SCHOOL OF LAW, Seattle, WA

Visiting Associate Professor, Fall 2006-Spring 2007

SCHOLARSHIP

People v. Berry, 556 P.2d 777 (Cal. 1976), FEMINIST JUDGMENTS: REWRITTEN
CRIMINAL LAW OPINIONS (Bennett Capers, Sarah Deer, & Corey Rayburn Young eds.,
Cambridge University Press, forthcoming 2022)

Loading the Dice for Death: Structural Problems in Capital Punishment, 51 TEXAS
TECH LAW REVIEW 45 (2018) (invited contribution to symposium issue)

Keep Tinkering: The Optimist and the Death Penalty, 70 ARKANSAS LAW REVIEW 349
(2017) (invited contribution to symposium issue)

How to Eat the Elephant in the Legal Academy, 31 COLUMBIA JOURNAL OF GENDER
AND LAW 44 (2015).

Practice Attributional Charity: Cognitive Bias in Intentional Homicide Law, 47 TEXAS
TECH LAW REVIEW 41 (2014) (invited contribution to symposium issue)

Teaching Rape Under Cover, 10 OHIO STATE JOURNAL OF CRIMINAL LAW 633 (2013) (invited contribution to symposium issue)

The Story of Berry: When Hot Blood Cools, in CRIMINAL LAW STORIES (Donna Coker and Bob Weisberg, eds., Foundation Press, 2012)

The Type of Possession Is Nine-Tenths of the Law: Criminal Responsibility for Acts Performed Under the Influence of Hypnosis or Bewitchment, in LAW AND MAGIC 249 (Christine A. Corcos ed., Carolina Academic Press, 2010)

Pure Insanity, 42 TEXAS TECH LAW REVIEW 543 (2009) (invited contribution to symposium issue)

He Had It Coming: Provocation as a Partial Justification, in CRIMINAL LAW CONVERSATIONS 326 (Paul H. Robinson, Stephen P. Garvey, and Kimberly Kessler Ferzan eds., Oxford University Press, 2009) (response to Joshua Dressler)

Making Waves: Radicalizing Act Reasonableness, in CRIMINAL LAW CONVERSATIONS 432 (Paul H. Robinson, Stephen P. Garvey, and Kimberly Kessler Ferzan eds., Oxford University Press, 2009) (response to Cynthia Lee)

Sometimes a Control Test Is Just a Control Test, in CRIMINAL LAW CONVERSATIONS 463 (Paul H. Robinson, Stephen P. Garvey, and Kimberly Kessler Ferzan eds., Oxford University Press, 2009) (response to Stephen J. Morse)

No Excuse for You, in CRIMINAL LAW CONVERSATIONS 482 (Paul H. Robinson, Stephen P. Garvey, and Kimberly Kessler Ferzan eds., Oxford University Press, 2009) (response to Christopher Slobogin)

Daubert, Schmaubert: Criminal Defendants and the Short End of the Science Stick, 43 TULSA LAW REVIEW 597 (2007) (invited contribution to symposium issue)

Fear and Loathing in Insanity Law: Explaining the Otherwise Inexplicable Clark v. Arizona, 58 CASE WESTERN RESERVE LAW REVIEW 39 (2007) (top-10 download on SSRN for Evidence & Evidentiary Procedure)

The Principled Executioner: Capital Juries' Bias and the Benefits of True Bifurcation, 38 ARIZONA STATE LAW JOURNAL 769 (2006) (cited by Justice Steven Breyer in *Glossip v. Gross*, U.S. Supreme Court No. 14-7955 (June 29, 2015) (dissenting); also a top-10 download on SSRN for Criminal Law, Criminal Procedure, and Corrections & Sentencing Law & Policy)

Controlling Passion: Adultery and the Provocation Defense, 37 RUTGERS LAW JOURNAL 197 (2005) (cited by Law Commission for England and Wales in its Report to Parliament recommending reform to the law of murder and manslaughter)

The Utility of Witt: Understanding the Language of Death Qualification, 54 BAYLOR LAW REVIEW 677 (2002) (cited by New York Governor's Council on Capital Punishment)

**Selected
Presentations**

"Who Would Win? Testimonial Evidence in the New Majority," Evidence Summer Workshop, Vanderbilt Law School (teleconference), August 6, 2021

"Advice for New Law Professors from the Section on Women in Legal Education," AALS Annual Workshop for New Law School Teachers (June 4, 2021)

"*Kahler v. Kansas* and the Most Important Areas of Substantive Criminal Law," Criminal Law Symposium, Texas Tech University School of Law (April 9, 2021)

"Gender & Intersectionality in Times of Crisis," AALS Annual Meeting (January 6, 2021)

"Loading the Dice for Death: Structural Problems in Capital Punishment," Texas Tech Criminal Law Symposium, Lubbock, TX (April 13, 2018), and Southeastern Association of Law Schools Annual Conference, Ft. Lauderdale, FL (Aug. 5, 2018)

"The Future of the Death Penalty and Capital Litigation," discussant, Southeastern Association of Law Schools Annual Conference, Ft. Lauderdale, FL (Aug. 5, 2018)

"Women's Leadership in Legal Academia," discussant, AALS Annual Meeting, San Francisco, CA (Jan. 5, 2017)

"Keep Tinkering: The Optimist and the Death Penalty," The Future of the Death Penalty Symposium, University of Arkansas School of Law, Fayetteville, AR (Oct. 21, 2016)

"How to Eat the Elephant in the Legal Academy," Work Life Balance Discussion Group, SEALS, Amelia Island (Aug. 3, 2014), and as part of Cross-Cutting Program, "The More Things Change...: Persistent Discrimination in the Legal Academy," AALS Annual Meeting, Washington, DC (Jan. 3, 2015)

"Practice Attributional Charity: Cognitive Bias in Intentional Homicide Law," Texas Tech Criminal Law Symposium, Lubbock, TX (April 4, 2014)

"Parenting Professors," organizer and discussant, Southeastern Association of Law Schools Annual Conference, Palm Beach, FL (August 5, 2013)

"The Story of *Berry*: When Hot Blood Cools," Law & Society Annual Meeting, Honolulu, Hawaii (June 8, 2012)

“Teaching Rape Under Cover,” Southeastern Association of Law Schools Annual Conference, Amelia Island, FL (August 3, 2012)

“Teaching Criminal Procedure,” Association of American Law Schools Midyear Meeting, San Diego, CA (June 12, 2012)

“The More Things Change...: Homicidal Mania and Cognitive-, Volitional-, and Character-based Tests for Insanity,” commenting on Joel Eigen’s *The Name’s the Thing: Dynamics and Diagnosis in Late-Victorian Forensic Psychiatry*, Robina Institute for Criminal Law and Criminal Justice (University of Minnesota, April 2012)

“As Infallible as Humanly Possible: Structural Problems in Capital Punishment,” discussing Ken Williams’s MOST DESERVING OF DEATH: AN ANALYSIS OF THE SUPREME COURT’S DEATH PENALTY JURISPRUDENCE, Law & Society Annual Meeting, San Francisco, California (June 4, 2011)

“Poor Albert: The Long Course of Provocatory Conduct in *People v. Berry*,” Faculty Forum, Stetson University College of Law (April 11, 2011)

“Leaving Victims Out of It,” discussing Vera Bergelson’s VICTIMS’ RIGHTS AND VICTIMS’ WRONGS: COMPARATIVE LIABILITY IN CRIMINAL LAW, Law & Society Annual Meeting, Chicago, Illinois (May 28, 2010)

“Controlling Passion: Adultery and the Provocation Defense,” Faculty Speaker Series, Stetson University College of Law (November 12, 2008)

“The Type of Possession Is Nine-Tenths of the Law: Criminal Responsibility for Acts Performed Under the Influence of Hypnosis or Bewitchment,” Law Culture and Humanities Conference, University of California at Berkeley (March 29, 2008)

“Fear and Loathing in Insanity Law: Explaining the Otherwise Inexplicable *Clark v. Arizona*,” Faculty Speaker Series, University of Oregon School of Law (November 9, 2007)

“Possession Is Nine-Tenths of the Law: Criminal Responsibility for Acts Performed Under the Influence of Charms, Bewitchments, and Hypnotism,” Oregon-Washington Junior Faculty Workshop, University of Oregon School of Law (August 31, 2007); Ohio Legal Scholarship Workshop, Capital University Law School (June 23, 2007)

“What Do You Expect? Race, Gender, and Cuckolds Who Kill,” Intersections of Race & Gender: (Re) Imagining the Family Conference, Seattle University School of Law (April 12, 2007)

“Method to the Madness: Death and the Unitary Jury Requirement,” Law Culture and Humanities Conference, Georgetown University Law Center (March 23, 2007)

“Seeing Red: Provoked to Insanity?,” Ohio Legal Scholarship Workshop, Case Western Reserve University School of Law (June 23, 2006)

“A Crime of Passion: Science, Culture, and Law,” Law Culture and Humanities Conference, Syracuse University Law School (March 17, 2006)

SERVICE

National

American Bar Association CRIMINAL JUSTICE MAGAZINE, Editorial Board (Spring 2014-present)

Association of American Law Schools Section for Women in Legal Education, Executive Committee (Jan. 2019-present)

AALS Section for Associate Deans, Executive Committee (2017-2018), Chair (2016), Co-Founder and Co-Chair (2015)

AALS Criminal Justice Section, Executive Committee (2011-2012), Chair (2010), Chair-Elect (2009), Secretary (2008)

AALS New Law Professors Teaching Materials Network, Chair (2007-present)

AALS Committee to Review Scholarly Papers (2015-2016)

AALS 2021 Annual Meeting, Section on Women in Legal Education, Program Planning Committee (2020-2021)

AALS 2016 Annual Meeting, Section for Associate Deans, Program Planning Committee (2015-2016)

Associate Deans for Research breakfast, AALS Annual Meeting, Washington, DC (Jan. 2015), organizer and discussion leader

AALS Section on Women in Legal Education, mentor (Spring 2010-present)

ABA Criminal Justice Section, mentor (2020–present)

AALS 2011 Annual Meeting, Workshop on Criminal Justice, Planning Committee (Summer and Fall 2010)

“*Miranda*, Good News or Bad News for Police?” moderator, Criminal Law Symposium: Entering the Second Fifty Years of *Miranda*, Texas Tech University School of Law (March 31, 2017)

AALS Section on Women in Legal Education, Work-Life Balance Committee (Spring 2011-Spring 2016)

“On the Chopping Block: Hard Choices in Teaching First-Year Criminal Law,” moderator, AALS Annual Meeting, San Francisco, California (January 6, 2011)

American Bar Association Criminal Justice Section, Academic Committee, Proposal for Annual Joint ABA/AALS Criminal Justice Section Workshop Subcommittee (Fall 2009-Spring 2011)

Peer reviewer, JURIMETRICS: THE JOURNAL OF LAW, SCIENCE, AND TECHNOLOGY (Fall 2009)

Insanity Panel, moderator, Criminal Law Symposium: Excuses, Texas Tech University School of Law (April 3, 2009)

Co-author, Brief for National Association of Criminal Defense Lawyers as Amicus Curiae Supporting Defendant-Respondent, *Uttecht v. Brown*, 127 S. Ct. 2218 (2007) (discussing proper limits of death qualification)

Regional

Bruce R. Jacob-Christopher W. Altenbernd Criminal Appellate Inn of Court, Executive Board (Summer 2014-Fall 2021)

New Voices in Criminal Law, mentor; Prospective Law Teachers, mentor, Southeastern Association of Law Schools Annual Meeting, Ft. Lauderdale, FL (Aug. 5-6, 2018)

11th Circuit Legal Scholarship Forum, organizer and host, Stetson University College of Law, Gulfport, FL (Oct. 10-11, 2014)

Work-Life Balance Discussion Group, planning committee; Prospective Law Teachers, mentor; Faculty Development Deans Discussion Group, organizer and discussion leader; Workshop on Criminal Law & Procedure, moderator, Southeastern Association of Law Schools Annual Meeting, Amelia Island, Florida (Aug. 2014)

“What We All Need to Know About Stand Your Ground,” YWCA’s Stand Against Racism 2012, St. Petersburg, FL (April 27, 2012)

“Interacting with Medical Professionals in Representing Clients with Questionable Capacity: Advice for Law School Clinical Programs Personnel and Law Professors Who Do Pro Bono Work,” moderator, Southeastern Association of Law Schools Annual Meeting, Palm Beach, Florida (August 4, 2010)

Ohio Legal Scholarship Workshop, Chair (2004-2006)

“Recent Developments in Search and Seizure Law,” Ohio Municipal Attorneys Association Winter Law Seminar, Dublin, Ohio (December 15, 2006 and December 16, 2005)

An Introduction to Massachusetts Discovery Practice, in MASSACHUSETTS DISCOVERY PRACTICE (MCLE 2002, Supp. 2005, & Supp. 2009) (with Edward P. Leibensperger)

School

Stetson

ABA Self-Study Committee
Academic Review Committee
Academic Standards Committee
Admissions Committee
Appointments Screening Committee
Best Law Student Trajectory
Curriculum Committee
Curriculum Reform Task Force
Dean's Cabinet
Department Heads
Diversity Committee
Faculty Evaluation Process Task Force
Faculty Scholarship Committee
Faculty Workload Policy Advisory Committee
Graduation Planning Committee
Honors & Awards Committee
Judicial Clerkship Committee
Library and Technology Committee
Maritime Law Society, co-advisor
Mentor and Review Committees
Promotion and Tenure Policy Review Working Group, Chair
Stetson Law Parents Association, co-advisor
Strategic Staffing Committee
Student Support and Emergency Team

Capital

Public Interest and Government Law Association, co-advisor
Admissions/Readmissions Committee
Clerkships/Externships Committee
Student Faculty Relations Committee
Competitions Committee
Administrative Hiring Committee
Long Range Planning, “Developing Financial Strength” Subcommittee

Selected Media Appearances

Jack Evans, *Tampa Bay Drivers Have Run Into Protestors: Why Haven't They Been Arrested?*, TAMPA BAY TIMES (July 26, 2020)

Tony Marrero, *Nationally, number of people hurt in firearms accidents is flat. In Florida, it's soaring*, TAMPA BAY TIMES and FLORIDA TREND MAGAZINE (May 17, 2019) (regarding prosecutorial discretion in charging decisions for criminal negligence in discharging a firearm)

Josh Solomon, Lane DeGregory and Zachary T. Sampson, *Was it wrong to let jurors talk to witnesses in the Jonchuck trial?*, TAMPA BAY TIMES (April 19, 2019).

The Trial of John Jonchuck: Deliberations Continue Tomorrow, BAY NEWS 9 television broadcast April 16, 2019 (regarding insanity defense).

"Court Requires Unanimous Juries in Death Penalty Cases," WUSF, NPR Affiliate (Oct. 14, 2016) (radio interview)

Dan Sullivan and Laura C. Morel, *Florida Supreme Court rules death penalty juries must be unanimous*, TAMPA BAY TIMES (Oct. 14, 2016)

"Miami Judge Says Florida's New Death Penalty Guidelines Are Unlawful," WUSF, NPR Affiliate (May 10, 2016) (radio interview)

"U.S. Supreme Court Rules Florida's Death Penalty Unconstitutional," BAY NEWS 9 (Jan.13, 2016) (in-studio expert)

Larry Hannan, *Florida's death penalty procedures declared unconstitutional by U.S. Supreme Court*, FLORIDA TIMES-UNION (Jan. 12, 2016)

Susan D. Rozelle, Op-Ed, *Loading the Dice for Death*, WASHINGTON MONTHLY, <https://washingtonmonthly.com/2015/11/02/loading-the-dice-for-death/> (Nov. 2, 2015)

University of Central Florida Alumni, *Susan Rozelle, '94, 2015 UCF Professional Achievement Award Winner*, <https://www.youtube.com/watch?v=gkuD00hHsuk> (Oct. 29, 2015)p

Melinda Price, *Spotlight on Sections: Section on Associate Deans for Academic Affairs and Research*, AALS NEWS (Aug. 2015)

Susan D. Rozelle, Op-Ed, *Two ways to make death penalty cases fairer*, TAMPA BAY TIMES (July 7, 2015)

Jon Silman, *Man's new trial: 'stand your ground'?*, TAMPA BAY TIMES (July 18, 2014)

Jon Silman, *Murderers and childlike minds*, TAMPA BAY TIMES (Sept. 5, 2014)

Jason Geary, *7 Years Later, Victim Still Awaiting Closure*, THE LEDGER (Sept. 7, 2013)

Amy Pavuk, *Why only six on Florida juries? Legislator to push for 12 in wake of Zimmerman verdict*, ORLANDO SENTINEL (July 18, 2013)

Kris Hundley, *Despite backlash, 'stand your ground' laws did not apply to Zimmerman case*, TAMPA BAY TIMES (July 15, 2013)

Sharon Parker, Commentary on jury instructions and other developments in Zimmerman trial, WFLA Radio (July 11, 2013)

Sharon Parker, Commentary on juror conduct in Zimmerman trial, WFLA Radio (June 23, 2013)

Frank Fernandez, *Picking jury a challenge in balance and social media*, THE DAYTONA BEACH NEWS-JOURNAL (June 20, 2013)

Jeremy Maready & Jason Geary, *Computer Glitch Cuts Eligible Jurors*, THE LEDGER (April 24, 2013)

Lauren Russell, *When oversharing online can get you arrested*, CNN.com (April 18, 2013)

Elaine Silvestrini, *Cortnee Brantley convicted, but judge hasn't ruled her guilty*, TAMPA TRIBUNE (Jan.16, 2013)

Gloria Goodale, *Colorado shooting: No cameras for suspect's next appearance, judge rules*, THE CHRISTIAN SCIENCE MONITOR (July 24, 2012)

Rob Lorei, *Florida's stand your ground law: what does it mean?*, Radioactivity, WMNF Radio (May 3, 2012) (featured guest on 30-minute call-in show)

Vishal Persaud, *Three death sentences upheld*, OCALA STAR BANNER (April 27, 2012)

Tom Brennan, *Murder Trial Gets Jury Restart*, TAMPA TRIBUNE (July 31, 2011) (regarding death qualification in capital cases)

Did Judge Perry Lie in Casey Anthony Trial? (Channel 10 CBS Evening News television broadcast July 28, 2011) (regarding basis for order sealing juror names)

John Kennedy, *"Caylee's law" likely to join others named for children whose deaths sparked outrage*, PALM BEACH POST (July 8, 2011) (regarding proposed law to criminalize failure to report missing children)

Anthony Sentencing (Bay News 9 and Central Florida News 13 live, in-studio broadcast July 7, 2011) (regarding calculation of misdemeanor sentence)

Casey Anthony Jurors Are Entitled to Do Duty "Unmolested" (WUSF Radio broadcast July 7, 2011) (regarding order sealing jurors' identities)

Casey Anthony Trial: Sentencing Today (Channel 10 CBS Evening News television broadcast July 6, 2011) (regarding not guilty verdict on murder charges)

Alexandra Zayas, *Prosecutors Won't Seek Death Penalty for 'Dee Dee' Moore, Accused of Killing Lottery Winner*, ST. PETERSBURG TIMES (November 11, 2010) (regarding prosecutorial discretion)

Prosecutors Remove Death Penalty in Lotto Winner Murder Case (Channel 10 CBS Evening News television broadcast November 10, 2010) (regarding prosecutorial discretion)

Tom Brennan, *Juror's Facebook Records Sought in Library Rape Case*, TAMPA TRIBUNE (October 21, 2010) (regarding juror misconduct)

Frank Fernandez, *Trial Begins in Double Slaying*, DAYTONA NEWS-JOURNAL (October 3, 2010) (regarding life and death qualification in jury selection)

Curtis Krueger, *Not a One-Size-Fits-All Solution for Victims*, ST. PETERSBURG TIMES (February 26, 2010) (regarding value of domestic violence injunctions)

Protests over Super Bowl Halftime Act (Fox News Radio broadcast January 4, 2010) (regarding Peter Townshend's status as sex offender entering Florida)

Judge Right or Wrong to Free Fugitive? (Fox 13 Evening News television broadcast December 22, 2009) (regarding 30-yr Florida fugitive found in Missouri)

Iorio Says Police Can't Stop All Random Violence (Channel 8 NBC Evening News television broadcast August 20, 2009, TAMPA TRIBUNE) (regarding crime spike)

Judge Hears Joel Courtney's Plea (KEZI Channel 9 ABC Evening News television broadcast April 9, 2008) (regarding Oregon murder prosecution without a body)

Too Eager Tow Truck Takes on Police Cruiser, Then Backs Off, OREGONIAN, Dec. 14, 2007 (regarding police authority to park in tow-away zone)

Oregonians' Perceptions of Statutory Rape May Be Changing (Oregon Public Radio broadcast October 31, 2007) (regarding grand jury's refusal to indict for statutory rape when defendant and alleged victim are teenagers and dating)

Central Oregon Man Imprisoned Wrongfully (Oregon Public Radio broadcast October 30, 2007) (regarding man convicted after grand jury refused to indict)

AWARDS

PROFESSIONAL ACHIEVEMENT AWARD

Burnett Honors College, University of Central Florida (Oct. 22, 2015)

OUTSTANDING SERVICE AWARD

AALS Criminal Justice Section (Jan. 8, 2011)

EDUCATION

DUKE UNIVERSITY SCHOOL OF LAW, Durham, NC

J.D., *magna cum laude*, May 1999

Honors:	Paul B. Williams Merit Scholar LAW AND CONTEMPORARY PROBLEMS, Editorial Assistant Deans' Advisory Council
Activities:	ALIBI Literary Magazine, founder and Editor-in-Chief Private Adjudication Center, mediator Adult Literacy Project, tutor

UNIVERSITY OF CENTRAL FLORIDA, Orlando, FL

B.A., *summa cum laude* in Philosophy, May 1994

JUDICIAL CLERKSHIPS

MASSACHUSETTS APPEALS COURT, Boston, MA

Justice Mel L. Greenberg, September 2002-July 2003; September 1999-August 2000

SUPREME JUDICIAL COURT OF MASSACHUSETTS, Boston, MA

Justice Roderick L. Ireland, September 2001-August 2002

PRIVATE PRACTICE EXPERIENCE

NUTTER, MCCLENNEN & FISH, LLP, Boston, MA

Litigation Associate, September 2000-August 2001

Primarily appellate practice

PROFESSIONAL MEMBERSHIPS

United States Supreme Court Bar (admitted February 2007)

Massachusetts State Bar (admitted December 1999)

American Bar Association

Federal Bar Association

Florida Bar Association
Society of American Law Teachers

PERSONAL

I enjoy reading, road cycling, and backcountry skiing. I advocate for research and legislative support for people with Type I Diabetes, and I serve as a volunteer mentor on the Type One Nation Community Forum hosted by the Juvenile Diabetes Research Foundation (JDRF).