

ANDREW MANUEL CRESPO

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ACADEMIC APPOINTMENTS

Harvard Law School

Morris Wasserstein Public Interest Professor of Law	2021 – Present
Founder and Executive Faculty Director, Institute to End Mass Incarceration	2020 – Present
Founding Editor and co-Editor-in-Chief, <i>Inquest</i>	2020 – Present
Professor of Law	2019 – 2021
Assistant Professor of Law	2015 – 2019

Honors: Albert M. Sacks-Paul A. Freund Award for Teaching Excellence, 2025

Courses: Criminal Law
Criminal Procedure: Investigations
Institute to End Mass Incarceration (Clinic)
Anti-carceral Organizing and Lawyering (Seminar)
Impact Defense Initiative (Clinic and Seminar)
Popular Criminalism (Seminar)
Criminal Justice Workshop

University Service: Presidential Task Force on Inclusion and Belonging
Presidential Committee to Articulate Principles on Renaming
Provost Academic Leadership Forum
University Faculty Senate Ad Hoc Working Group
Search Committee for Chief of Police of the Harvard University Police Department
Radcliffe Institute of Advanced Study, Faculty Advisory Council
Advanced Leadership Initiative, Faculty Affiliate (former Faculty Board Member)

Law School Service: Junior Scholars Mentorship Committee
La Alianza, Faculty Advisor
Clinical Education Committee
Clerkship Committee
Public Service Venture Fund, Fellowship Selection Committee

University of Hawaii, William S. Richardson School of Law

Frank Boas Visiting Professor of Law 2019

BOOK

Criminal Law and the American Penal System (2025, with John Rappaport)

SCHOLARLY ARTICLES

Root and Branch: Lawyers, Movements, and the End of Mass Incarceration, 60 HARV. CIV. RTS. CIV. LIBERTIES L. REV. (forthcoming 2025)

Free to Teach, Free to Learn, 48 AM. EDUCATOR 52 (2024)

No Justice, No Pleas: Subverting Mass Incarceration through Defendant Collective Action, 90 FORDHAM L. REV. 1999 (2022)

Probable Cause Pluralism, 129 YALE L.J. 1276 (2020)

Potential Legal Liability for Withdrawing or Withholding Ventilators During COVID-19, J. AM. MED. ASSOC. (Published Online, Apr. 1, 2020) (with I. Glenn Cohen & Douglas B. White)

The Unavoidably Empirical Fourth Amendment: A Case Study of Kansas v. Glover, 1 Cts. & J. L.J 217 (2019)

Impeachment as Punishment, 13 HARV. L. & POL'Y REV. 101 (2019) (book review)

The Hidden Law of Plea Bargaining, 118 COLUM. L. REV. 1303 (2018)

Systemic Facts: Toward Institutional Awareness in Criminal Courts, 129 HARV. L. REV. 2049 (2016)

Regaining Perspective: Constitutional Criminal Adjudication in the U.S. Supreme Court, 100 MINN. L. REV. 1985 (2016)

EDUCATION

Harvard Law School, J.D. *magna cum laude* 2005 – 2008

Honors: Harvard Law Review, *President*, Volume 121
Ames Moot Court Competition, *Semifinalist*
Dean's Award for Community Leadership
Heyman Fellowship
James Vorenberg Equal Justice Fellowship
Pro Bono Service Commendation

Harvard College, A.B. *magna cum laude* with Highest Honors in Social Studies 2001 – 2005

Honors: Susan C. Eaton Fellow

PROFESSIONAL EXPERIENCE

Public Defender Service for the District of Columbia, *Staff Attorney*, Trial Division 2011 – 2014

The Honorable Elena Kagan, United States Supreme Court, *Law Clerk* 2010 – 2011

The Honorable Stephen G. Breyer, United States Supreme Court, *Law Clerk* 2009 – 2010

The Honorable Stephen R. Reinhardt, U.S. Court of Appeals for the Ninth Circuit, *Law Clerk* 2008 – 2009

PUBLIC SERVICE

Presidential Commission on the Supreme Court of the United States 2021

Standing Advisory Committee for the Massachusetts Rules of Criminal Procedure 2018 – Present

American Association of University Professors-Harvard Faculty Chapter, General Counsel 2025 – Present

The Leading Change Network, Chairman, Board of Directors 2023 – Present

Harvard Law Review Association, Board of Trustees 2018 – Present

American Civil Liberties Union of Massachusetts, Board of Directors 2025 – Present

American Constitution Society, Board of Academic Advisors 2018 – Present

PROFESSIONAL HONORS

Harvard Law School, Albert M. Sacks-Paul A. Freund Award for Teaching Excellence 2025

Hispanic National Bar Association, Top Lawyers Under 40 2022

NBC News, The "Latino 20," Honoring Hispanic Heritage Month 2017

Association of American Law Schools, Criminal Justice Section, Junior Scholar Paper of the Year (<i>Systemic Facts</i>)	2015
Hispanic National Bar Association, Special Achievement Award	2007
Hispanic Business Magazine, 100 Most Influential Hispanics of 2007	2007
Hispanic National Bar Foundation, Rising Star Award	2007

BAR MEMBERSHIPS & AFFILIATIONS

Supreme Court of the United States	2015 – Present
District of Columbia	2010 – Present
Commonwealth of Massachusetts	2019 – Present
Commonwealth of Kentucky	2025 – Present
American Law Institute, Elected Member	2021 – Present
Association of American Law Schools, Criminal Justice Section	2015 – Present
American Bar Association	2015 – Present
Hispanic National Bar Association	2008 – 2022

SELECTED ADVOCACY

Brief of Former Federal Prosecutors and High-Ranking Department of Justice Officials as <i>Amici Curiae</i> , <i>United States v. Flynn</i> , No. 17-cr-232 (D.D.C. 2020)	
Brief of Professor Andrew Manuel Crespo as <i>Amicus Curiae</i> , <i>Kansas v. Glover</i> , 589 U.S. ____ (2020), <i>cited in</i> concurring opinion of Kagan, J.	
Motion to Dismiss and Reply, <i>United States v. Reed</i> , No. 19-cr-93 (D.D.C. 2020) (as counsel with the Impact Defense Initiative of Harvard Law School)	
Motion to Dismiss and Reply, <i>United States v. Simmons</i> , No. 18-cr-344 (D.D.C. 2020) (as counsel with the Impact Defense Initiative of Harvard Law School)	

SELECTED COMMENTARY

<i>Harvard “Embraces Diversity” on Day of the Dead, Unless the Dead are Palestinian</i> , TRUTHOUT	May 2024
<i>Another Harvard Crackdown on Free Speech</i> , CHRONICLE OF HIGHER EDUCATION (with Reshma Hussam)	May 2024
<i>The Harvard Corporation Tries to Kill Faculty Governance</i> , CHRONICLE OF HIGHER EDUCATION (with Kirsten Weld)	May 2024
<i>Defendants, United, Could Strike the State Blindsided</i> , LPEBLOG	April 2023
<i>Welcome to Inquest</i> , INQUEST	July 2021
<i>Unpacking DHS’s Troubling Explanation of the Portland Van Video</i> , LAWFARE	July 2020
<i>The Federal Police In Portland Don’t Even Understand What ‘Arrests’ Are</i> , WASHINGTON POST	July 2020

<i>Radio Diary: A Harvard Law Professor Explains Why Federal Officers' Tactics In Portland Are Unlawful</i> , ON POINT (NPR)	July 2020
<i>Professor Crespo says Events in Portland Raise Serious Concerns About Unlawful Police Tactics</i> HARVARD LAW TODAY	July 2020
<i>The Case Against Michael Flynn Is Not Over Yet</i> , BOSTON GLOBE (with Kristy Parker)	June 2020
<i>Judge Sullivan Can Reject the Government's Motion to Drop Flynn's Case</i> , LAWFARE (with Laura Londoño Pardo, Kristy Parker, & Nathaniel Sobel)	May 2020
<i>Who Will Protect Doctors Facing a Terrible Choice?</i> , NEW YORK TIMES (with I. Glenn Cohen & Douglas B. White)	April 2020
<i>Brett Kavanaugh, Take a Polygraph</i> , WASHINGTON POST	October 2018
<i>What Will You Do if Mueller is Fired?</i> , JUST SECURITY	December 2017
<i>An Open Letter to Joseph Arpaio's Attorneys</i> , LAWFARE	September 2017
<i>Appoint a Special Prosecutor, not an Amicus, to Challenge Arpaio's Pardon</i> , TAKE CARE	September 2017
<i>A Special Prosecutor Should Challenge Joe Arpaio's Special Pardon</i> , BOSTON GLOBE	September 2017
<i>Is Mueller Bound by OLC's Memos on Presidential Immunity?</i> , LAWFARE	July 2017
<i>The Road to United States v. Trump is Paved with Prosecutorial Discretion</i> , TAKE CARE	May 2017
<i>Did Trump Obstruct Justice? Mueller Must Follow the Facts Without Fear or Favor</i> , BOSTON GLOBE	May 2017
<i>Recognizing Racism in Trump's Call for Judge's Recusal</i> , BOSTON GLOBE	June 2016
<i>Liptak, For Criminal Defendants, A Dearth of Experience at the Supreme Court</i> , N.Y. TIMES	August 2016

SELECTED PRESENTATIONS

Defending Academic Freedom, American Constitution Society	May 2025
Institutional Neutrality in Academia and Beyond, Am. Ass'n Law Schools, Panelist	January 2025
Harvard University LatinX Commencement Ceremony, Keynote Address	May 2024
Root and Branch: Lawyers, Movements and the End of Mass Incarceration, Endowed Chair Lecture	March 2024
Carceral Landscapes, Harvard Graduate School of Design & Institute to End Mass Incarceration, Symposium Panel	October 2023

Decarceral Visions Conference, ACLU National Prison Project & UCLA Criminal Justice Program, Keynote Panel & Movement Lawyering Panel	September 2023
National Association of Criminal Defense Lawyers, Keynote Discussion	December 2021
<i>No Justice, No Pleas</i>	
Fordham Law School Criminal Law Speakers Series (invited)	March 2022
Duke Judicial Administration Roundtable (invited)	December 2021
Fordham Law School Subversive Lawyering Symposium (invited)	October 2021
<i>Criminal Law and the American Penal System</i>	
Fordham Law School Criminal Law Speakers Series (invited)	March 2022
Vanderbilt Law School, Faculty Workshop (invited)	April 2021
University of Minnesota Law School, Faculty Workshop (invited)	February 2021
ABA & AALS Criminal Justice Roundtable (invited)	November 2020
Washington University in St. Louis Law School, Faculty Workshop (invited)	October 2020
<i>Probable Cause Pluralism</i>	
Yale Law Journal, Faculty Forum (invited)	October 2019
ABA & AALS Criminal Justice Roundtable (selected)	November 2018
St. John's Law School, Faculty Workshop (invited)	October 2018
<i>Amicus Brief in Kansas v. Glover</i>	
CrimFest	July 2019
<i>The Hidden Law of Plea Bargaining</i>	
University of Chicago, Constitutional Law Workshop (invited)	March 2018
George Washington University, Faculty Colloquium (invited)	November 2017
University of Michigan, Faculty Colloquium (invited)	September 2017
Federal Judicial Center, Law and Society Program (invited)	April 2017
<i>Systemic Facts</i>	
Federal Judicial Center, Law and Society Program (invited)	April 2016
<i>Regaining Perspective</i>	
University of Minnesota Law School, Law Review Symposium (invited)	October 2015
Harvard Law School Library, Book Review Panel, <i>Tough Cases</i>	October 2018
Harvard Law School, Moderator, <i>The Oldest Colony in the World: An Unsettled Century of U.S.-Puerto Rico Relations</i>	November 2017
Vanderbilt Criminal Justice Roundtable (invited commenter)	November 2016
Yale Law School Criminal Justice Roundtable (invited participant)	May 2015
Harvard Law School, Panel, <i>Criminal Justice & Policing After Events in Ferguson, Staten Island, Cleveland, & Elsewhere</i>	January 2015

