

LISA R. AVALOS
ASSOCIATE PROFESSOR OF LAW
HERMANN MOYSE, SR. PROFESSORSHIP
LOUISIANA STATE UNIVERSITY PAUL M. HEBERT LAW CENTER
1 E. CAMPUS DRIVE
BATON ROUGE, LA 70803
avalos@lsu.edu

EDUCATION

NEW YORK UNIVERSITY SCHOOL OF LAW, New York, New York

J.D., 2006

Honors: *Journal of International Law and Politics*, Staff Editor

First place, 1L Negotiation Competition

Activities: International Human Rights Clinic

Teaching Assistant to Professor Derrick Bell (Current Constitutional Issues)

Semester Study Abroad Program in Copenhagen, Denmark

NORTHWESTERN UNIVERSITY, Evanston, Illinois

Ph.D. in Sociology, 1995

Dissertation: *Outside the Abortion Debate: Language, Women's Voice, and the Experience of Abortion.*

Honors: Research Fellow, Center for Urban Affairs and Policy Research

Special Activities Research Grant, National Science Foundation

Annual Teaching Assistantships

Honorable Mention, NSF Minority Fellowship Competition

M.A. in Sociology, 1988

Honors: University Scholarship

Research Grant, Center for Interdisciplinary Research in the Arts

B.A. in Psychology, 1986

ACADEMIC APPOINTMENTS

LOUISIANA STATE UNIVERSITY PAUL M. HEBERT LAW CENTER, Baton Rouge, LA

Associate Professor of Law; (2021 – present)

- Courses Taught: Criminal Law, Criminal Procedure; Professional Responsibility; Sex Crimes: Emerging Law & Policy Issues; Gender-Based Violence & Human Rights (future course).
- Service: International Programs (2021 - 2022).

Hermann Moyse, Sr. Professorship (2020- present)

Assistant Professor of Law (2018 –2021)

- Courses Taught: Criminal Law, Criminal Procedure; Professional Responsibility; Sex Crimes: Emerging Law & Policy Issues.
- Service: Curriculum Committee (2020 - 2021); Faculty Appointments Committee (2018-2020); Faculty Advisor, Hispanic Law Students Ass'n (2018 - 2020).

MICHIGAN STATE UNIVERSITY COLLEGE OF LAW – Spring 2021

Fixed-Term Instructor, Criminal Law (Online, 3 Credits, Required 1L Course)

INSTITUT DE DROIT COMPARE EDOUARD LAMBERT, FACULTE DE DROIT, Lyon, France

Adjunct Instructor – 3 week term: Nov. 17-Dec. 3, 2020

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- Introduction to U.S. Criminal Law (Enrollment: approximately 170).
- Course offered remotely due to COVID-19.

UNIVERSITY OF ARKANSAS SCHOOL OF LAW, Fayetteville, Arkansas, 2013 – 2018

Assistant Professor of Law

- Courses Taught: Legal Research and Writing (2013-16); Gender-based Violence and Human Rights (2015-2017); White Collar Crime (2017-18); Sex Crimes: Emerging Law & Policy Issues (2017-18).
- Service: Co-Chair, Program Committee, Conference on Honor Killings, sponsored by the King Fahd Center for Middle East Studies, University of Arkansas; Strategic Planning Committee (2014-2016); Academic Director of the Prelaw Undergraduate Scholars Program (2014-15).

GEORGETOWN UNIVERSITY LAW CENTER, Washington, D.C., 2011 – 2013

Visiting Assistant Professor of Legal Research and Writing

- Courses Taught: Gender-based Violence and Human Rights (experiential learning course); Legal Research and Writing; Law Fellow Seminar.
- Service: Law Fellow Selection Committee

WORKS-IN-PROGRESS

I Never Said “Yes:” Presuming Nonconsent in Rape Law (in progress)

This article addresses the heated debate raging about affirmative consent and why it is the best standard with which to adjudicate sexual assault complaints. Affirmative consent refers to an explicit, informed, and voluntary agreement to participate in a sexual act. The article contributes to the debate on affirmative consent, as well as to corresponding proposals for statutory reform, by arguing for the need to take into account the realistic dynamics of sexual assault in ways that have been overlooked thus far.

Flying Under the Radar: Organized Child Sexual Exploitation As Slavery (in progress)

Organized child sexual exploitation flies under the radar. Perpetrators who exploit children for sex have a profound interest in covering up their activities because they are so abhorrent to most people.

As a result, the information we have about the prevalence of organized child sexual exploitation is uneven and anecdotal. Sometimes it bursts into public consciousness when a major scandal is revealed, such as those involving the Catholic Church, physician Larry Nassar, financier Jeffrey Epstein, or Rotherham (United Kingdom). But despite being hidden, organized child sexual exploitation is not a rare aberration; it is persistent and systemic. This paper analyzes organized child sexual exploitation as a form of slavery and explores legal and policy solutions to address it.

Book Project, *She Must Be Lying to Us! Rape, Disbelieved Victims, and the Politics of Charging Victims With False Reporting* (in progress)

Building on three of my previous articles, this book offers an in-depth analysis of American and British cases where rape complainants have been charged with false reporting, some of whom have even been sent to prison. The book argues that many of these cases are miscarriages of justice that result when poor investigatory practices collide with undetected gender bias. Discrimination against rape complainants is the result. The book makes recommendations for reforming police and prosecutorial approaches to sexual assault.

PUBLICATIONS

ACADEMIC ARTICLES

Reversing the Decriminalization of Sexual Violence 21 NEV. L. J. 1 (2020) (lead article). Available [here](#).

This article argues that improving the police response to sexual assault involves implementing advanced training in the neurobiology of trauma, establishing accountability mechanisms for police, and establishing Sexual Assault Response Teams in all jurisdictions. In order to implement these reforms, the article also recommends legislative reform mandating best practices for sexual assault investigation. The article highlights Illinois as a jurisdiction modeling necessary reforms.

Feminist Judgments Rewritten Criminal Law Opinions: State v. Walden (forthcoming).

Commentary to accompany rewritten criminal law opinion for *State v. Walden*, 293 S.E.2d 780 (1982). Rewritten opinion by Professor Sarah Swan. In *Feminist Judgments: Rewritten Criminal Law Opinions* (I. Bennett Capers, Sarah Deer, & Corey Rayburn Yung, Eds.)

The Chilling Effect: the Politics of Charging Rape Complainants With False Reporting, 83 BROOKLYN L. REV. (JUNE 2018) (lead article). Available [here](#).

Uses critical legal theory to argue that false reporting prosecutions of disbelieved rape complainants are the result of an overlooked but deeply embedded gender bias among those tasked with investigating and prosecuting rape in Britain and the United States.

Policing Rape Complainants: When Reporting Rape Becomes a Crime, 20 IOWA J. OF GENDER, RACE AND JUSTICE 459 (2017) (invited symposium article). Available [here](#).

Examines several British and American cases where actual or likely rape victims were prosecuted for falsely reporting rape; argues that most or all of these cases were wrongful prosecutions that occurred when police or prosecutors failed to follow appropriate rape investigation policies. Uses international rape investigation best practice guidelines to demonstrate how the investigations failed. Offers proposals for change, including changes to federal law.

Prosecuting Victims While Rapists Run Free: the Consequences of Police Failure to Investigate Sex Crimes in Britain and the United States, 23 MICH. J. GENDER & L. 1 (2016) (lead article). Available [here](#).

A comparative analysis of the human rights violations that occur when disbelieved rape complainants are prosecuted for allegedly false reports of rape. Examines the systemic flaws in rape investigation that give rise to such violations, and offers proposals for change.

Female Genital Mutilation and Designer Vaginas in Britain: Crafting an Effective Legal and Policy Framework, 48 VAND. J. TRANSNAT'L LAW 621 (2015) (lead article). Available [here](#).

An analysis of Britain's legal and policy approach to FGM, examining key gaps in British law that leave potential victims unprotected while simultaneously sanctioning "designer vagina" surgeries. Proposes a normative framework to strengthen and harmonize the approach to both issues.

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Ending Female Genital Mutilation and Child Marriage in Tanzania, co-authored with Naima Farrell, Rebecca Stellato, & Marc Werner, 38 FORDHAM INTERNAT'L L. J. 639 (2015) (lead article). Available [here](#).

An analysis of the legal and socio-structural forces that allow FGM and child marriage to continue unchecked in Tanzania. Offers a particular examination of how law can be used to create social change in situations that feature disharmony between internationally-accepted legal principles and locally entrenched social norms.

Abortion in the Web of Relationship: Negotiating the Abortion Decision Through a Lens of Care, INTERNAT'L J. FOR HUMAN CARING. Vol. 7, No. 2 (2003).

Hindsight and the Abortion Experience: What Abortion Means to Women Years Later, GENDER ISSUES, 17(2): 35-57 (1999).

LAW ENFORCEMENT TRAINING MATERIALS

Raped, Then Jailed: The Risks of Prosecution for Falsely Reporting Sexual Assault, Training Bulletin, END VIOLENCE AGAINST WOMEN INTERNATIONAL (May 2019) (Joanne Archambault, Kimberly Lonsway & Lisa Avalos (contributing author)). Available [here](#).

This Training Bulletin focuses on the scenario where victims summon the courage to report a sexual assault, only to be disbelieved, mistreated, and later charged (often erroneously) with false reporting or associated crimes such as obstruction of justice, interfering with law enforcement, or providing false statements. Some have even been charged with a felony crime of evidence tampering, for obtaining a medical forensic examination. In other words, the evidence they are accused of tampering with is their very own body.

Victim Recantations: Addressing Gender Bias in Sexual Response and Investigation, Training Bulletin, END VIOLENCE AGAINST WOMEN INTERNATIONAL (March 2018) (co-authored with Heather Huhtanen & Kimberly Lonsway). Available [here](#).

This Training Bulletin explores the relationship between gender bias and victim recantations in cases of sexual assault. There are many reasons why victims might recant a legitimate report of sexual assault, so doing so does not mean that the report is false. This Training Bulletin demonstrates how implicit gender bias can lead victims to recant.

She Must Be Lying to Us! Police Skepticism and the Risk of Charging Rape Victims with False Reporting, Workshop presented at End Violence Against Women International's Annual Conference on Sexual Assault, Domestic Violence, and Gender Bias, April 3-5, 2018, Chicago, Illinois, <http://www.evawintl.org/conferences.aspx>.

COMMENTARY AND OPINION

[*Female Genital Mutilation and Designer Vaginas in Britain: Crafting an Effective Legal and Policy Framework*](#), VAND. J. TRANSNAT'L L. BLOG (June 21, 2015).

[*This FGM Trial Should Never Have Happened*](#), GUARDIAN (U.K.), February 5, 2015.

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[Britain is Violating Rape Victims' Human Rights](#), GUARDIAN (U.K.), December 2, 2014.

With Lisa Longstaff, [Michael Le Vell's Acquittal Is No Reason To Give Rape Defendants Anonymity](#). GUARDIAN (U.K.), September 26, 2013.

SELECTED PRESENTATIONS

“I Never Said Yes: Presuming Nonconsent in Rape Law”:

- University of Memphis School of Law, Jan. 27, 2021 (online presentation).
- University of Tennessee School of Law, (March 5, 2021) (online presentation).

Presenter, “Recent Developments in Criminal Law, 2019-20,” LSU CLE Seminar Series:

- LSU Webinar on multiple dates, Fall 2020.
- Pre-COVID presentations included nine sessions statewide.
- I have also assembled written materials on recent legislative and jurisprudential developments.

Presenter at Louisiana Judicial College CLE Programs:

- “Recent Updates in Criminal Law,” Fall Judges Conference, Oct. 7 2020 (online presentation).
- “Louisiana Code of Criminal Procedure 701: Right to a Speedy Trial,” part of a panel on “Phase 2 & Jury Trials,” CLE Session, Aug.5, 2020.

“Reversing the Decriminalization of Sexual Violence,” paper accepted for presentation at *Violence: Global Inclusive Interdisciplinary Conference*, sponsored by Progressive Connexions, July 4-5, 2020, Bratislava, Slovakia. (Conference was cancelled due to COVID-19).

“Child Sexual Exploitation as Slavery,” abstract submitted for consideration to 5th Global Meeting of the Slavery Past, Present and Future, Webster University, Leiden, Netherlands, June 22-24, 2020. (Conference was cancelled due to COVID-19).

Presenter, “Your Next Article” session, Southeastern Association of Law Schools Annual Meeting, Aug. 2, 2020 (online session).

Moderator, “Publishing with Academic Publishing Companies,” Southeastern Association of Law Schools Annual Meeting, Aug. 3, 2020 (online session).

Eliminating Gender Bias in Sexual Assault Investigation, work-in-progress presented at:

- Law and Society Annual Meeting, May 30-June 2, 2019.
- The Fourth National People of Color Legal Scholarship Conference, March 24, 2019.
- Southeastern Association of Law Schools Annual Meeting, July, 2019.

Reasonable Expectation of Privacy: Does It Still Exist? Presentation at the Spring Judges Conference, Louisiana Judicial College, Lake Charles, LA, April 11, 2019. (With David Joseph and Judge Brady O’Callaghan).

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Policing Rape Complainants: When Reporting Rape Becomes a Crime, paper presented at Women Being, the 2nd Interdisciplinary Conference on Gender Studies and the Status of Women, Edinburgh, Scotland, October 22, 2017.

Getting Justice for Women When Men Are Violent, panel at FILIA 2017, (Oct. 15, 2017) (London, UK), invited panelist.

Perverting the Course of Justice: When Prosecutors Charge Rape Complainants with False Reporting

- Invited presentation at the 20th Annual Symposium, University of Iowa Journal of Gender, Race and Justice, February 24-25, 2017.
- Presented at the U.S. Feminist Judgments Conference, University of Akron Center for Constitutional Law, Akron, Ohio, October 21-22, 2016.
- Presented at the Lutie Lytle Black Women Law Faculty Writing Workshop, University of Iowa College of Law, July 2016.

“Rape Investigation Failures as Human Rights Violations,” Great Plains International and Comparative Law Colloquium, Washburn University School of Law, May, 2016.

“Prosecuting Rape Victims While Rapists Run Free: the Consequences of Police Failure to Investigate Sex Crimes in Britain and the United States.”

- St. Mary’s University School of Law, San Antonio, TX, April, 2016.
- International Postgraduate Legal Conference 2016, University of Liverpool, Liverpool, UK, January, 2016.

“Ending Female Genital Mutilation and Child Marriage in Tanzania: the Need for a Unified Policy Response,” invited presentation at event on FGM and Child Marriage in Tanzania, sponsored by FORWARD UK (Foundation for Women’s Health, Research and Development) at the House of Lords, London, UK, Dec. 8, 2014.

“The Decriminalization of Rape and the Criminalization of Rape Reporting,” invited presentation sponsored by Women Against Rape at the House of Commons, London, UK, December 2, 2014.

“Perverting the Course of Justice: When Police Charge Rape Complainants with False Reporting,”

- Suffolk University School of Law, Boston, MA, October, 2014.
- Central States Association Law School Conference, Fayetteville, AR, October, 2013.

“Revising Britain’s Legal and Policy Framework on FGM: The Need for a More Robust FGM Law,” invited presentations at:

- Annual Policy Briefing sponsored by FORWARD UK and Matrix Chambers, London, UK, July 8, 2014.
- Conference on "Ending Female Genital Mutilation in Europe: Exploring Policies, Approaches & Lessons," sponsored by FORWARD UK and the Iranian & Kurdish Women’s Rights Organization, London, United Kingdom, February 28, 2013.

“Female Genital Mutilation in Britain and Europe,” paper presented at the Birmingham Institute of European Law 3rd Conference on the Future of European Law and Policy, Birmingham, United Kingdom, June, 2012.

SELECTED MEDIA APPEARANCES

- LOUISIANA PUBLIC RADIO Discussing the January 6 riot at the U.S. Capitol and potential weekend violence at state capitols, [The State We're In](#), Jan. 15, 2021 (begins at 5:50 timestamp).
- DAILY BEAST Emily Shugerman, [A Kansas Law School Student Reported a Rape. Then Police Arrested Her](#), Nov. 11, 2019. (commenting on how deficiencies in a police investigation can lead to false reporting charges against a crime victim).
- ESQUIRE Gabrielle Bruney, [Unbelievable Isn't the Only True Story of a Victim Who Was Charged for Reporting Their Rape](#) (Sept. 14, 2019). (discussing how deficiencies in a police investigation can lead to false reporting charges against a crime victim).
- BBC WOMEN'S HOUR Discussing the Jeffrey Epstein case with presenter Jenni Murray (Aug. 15, 2019), available [here](#).
- SEX ON TRIAL [Hour-long documentary](#) produced by Britain's Channel 4 about the Nikki Yovino (Connecticut) sexual assault case. Lisa Avalos appears in the documentary as an expert in sexual assault. (Reviews are available in the [Guardian](#), [Refinery](#), [Financial Times](#), & [INews](#)). (May 6, 2019).
- GUARDIAN Hannah Summers, [Rape Victims to Be Spared Ordeal of Cross-examination in Court](#), GUARDIAN (Mar. 19, 2017) (debunking various myths about false allegations of rape and explaining that overstated concerns about such allegations mask the problem of genuine rape victims being wrongly prosecuted for false reporting).
- BUZZFEED Tyler Kingkade, [Men's Rights Activists Say This College Student Is Why They Need A #MeToo Moment](#) (July 7, 2018) (explaining the reasons why genuine sexual assault victims would agree to take a plea deal when charged with false reporting).
- Katie J.M. Baker, [Vulnerable Women Are Routinely Prosecuted – And Imprisoned – For False Rape Claims in the UK](#) (June 29, 2018) (explaining rape investigation best practices and why it is not in the public interest to prosecute suspected false reporters).
- [The Police Told Her to Report Her Rape, Then Arrested Her For Lying](#), BUZZFEED (Sept. 27, 2015) and Prachi Gupta, [Police Told a Woman to Report Her Rape, Then Arrested Her](#) COSMOPOLITAN (Sept. 28, 2015) (explaining that police disbelief of sexual assault victims is a serious problem).
- TIME MAGAZINE Megan Gibson, [The Problem With Prosecuting Women for False Rape Allegations](#), TIME MAGAZINE (December 3, 2014) (explaining why it is poor public policy for rape complainants to be prosecuted for allegedly false reports of rape).
- HUFFINGTON POST Jack Sommers, , [The Big Risk In Britain's Hardline On Prosecuting Women for False Rape Claims](#), HUFFINGTON POST (December 3, 2014) (discussing my comparative US-UK research on rape complainants who are prosecuted for allegedly false reports of rape).

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- GUARDIAN Sandra Laville, [*109 Women Prosecuted for False Rape Claims in Five Years, Say Campaigners*](#), GUARDIAN, (December 1, 2014) (discussing my comparative US-UK research on rape complainants who are prosecuted for allegedly false reports of rape).
- VICE NEWS Sally Hayden, [*Campaigners Say British Authorities Must End “Aggressive Pursuit” of Women for False Rape Claims*](#), VICE NEWS (December 3, 2014) (discussing my research and explaining why it is poor public policy for rape complainants to be prosecuted for allegedly false reports of rape).
- COSMOPOLITAN Kate Russell, [*Women Who Cry Rape: There Aren’t That Many of Them*](#), COSMOPOLITAN, UK (December 2, 2014) (quoted as stating that the British practice of charging rape complainants with false reporting violates human rights).
- BBC RADIO *BBC Today Show* (BBC Radio Four, December 2, 2014) (discussing the fact that some women prosecuted for false allegations of rape are genuine rape victims).
- AFRICA WRAP *Africa Wrap* (Arise News Television, December 8, 2014) (discussing efforts to end female genital mutilation and child marriage in Tanzania).

TEACHING AND RESEARCH INTERESTS

Criminal Law; Criminal Procedure; Gender-based Violence and Human Rights; International Human Rights; Professional Responsibility; Sex Crimes; White Collar Crime.

PRIOR LEGAL & ACADEMIC POSITIONS

NEAL, GERBER & EISENBERG LLP, Chicago, Illinois

Associate, Corporate & Securities, 2008 – 2009

Represented mid-size and family-owned businesses in a range of transactions including mergers, acquisitions, asset sales, the raising of private equity, and other corporate matters.

MCDERMOTT WILL & EMERY LLP, New York, New York

Associate, Structured Finance, 2006 – 2008; Summer Associate, Summer 2005

Represented a large financial services company in conjunction with a securitization of equipment leases; represented collateral managers in collateralized debt obligation transactions; represented a large bank in multiple credit default swap transactions.

DEPARTMENT OF SOCIOLOGY, GRINNELL COLLEGE, Grinnell, Iowa

Assistant Professor of Sociology, 1996 – 2003

- Courses Taught: Race and Ethnicity in America; Social Inequality; Sociology of Global Development; Global Dimensions of Women's Health; Cuba and the United States: Friends or Enemies?
- Service: Co-chair, Noun Program in Women's Studies; Scholarship Selection Committee; Institutional Review Board; Sociology Department Hiring Committee; Service to the American Sociological Association and the Society for the Study of Social Problems.

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**CENTER FOR RESEARCH ON WOMEN, UNIVERSITY OF MEMPHIS, Memphis, Tennessee
Visiting Assistant Professor, 1995 – 1996**

- Courses Taught: Race and Ethnicity in America; Social Inequality; Sociology of Women.
- Service: Planning Committee, Curriculum Transformation Workshop.

BAR ADMISSIONS

New York
Illinois

LANGUAGES

Spanish (highly proficient)