

# Andrew Keane Woods

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## ACADEMIC POSITIONS

### **University of Arizona James E. Rogers College of Law**

*Milton O. Riepe Professor of Law* (2022—present)

Past: *Professor of Law* (2019—2022); *Assoc. Professor of Law* (2018—2019)

Director, TechLaw Program (2018—present)

Courses: Contracts, Cybersecurity Law, Tech Law & Policy Lab, Int'l Business Transactions, Space Law

### **University of Copenhagen Faculty of Law**

*Visiting Scholar* (Spring 2023)

### **University of Toronto Faculty of Law**

*Distinguished Visiting Professor* (January 2022)

### **University of Texas School of Law**

*Visiting Professor* (Spring 2017)

### **University of Kentucky Rosenberg College of Law**

*Assistant Professor of Law* (2014-2018)

### **Stanford University**

*Postdoctoral Fellow* (2012—2014)

### **Harvard Law School**

*Climenko Fellow & Lecturer on Law* (2010—2012)

*Hauser Fellow & Lecturer on Law* (2007—2009)

## EDUCATION

### **Harvard Law School, J.D., *cum laude* (2007)**

Activities: Editor, *Harvard Civil Rights-Civil Liberties Law Review*; Editor, *Harvard Human Rights Journal*; Head of U.S. Working Group, HLS Advocates for Human Rights

### **University of Cambridge, Ph.D. in Politics and International Studies (2012)**

Honors: *Gates Cambridge Scholarship*

Dissertation: “A Social-Situational Approach to the Regulation of International Crimes: Rethinking the Existing Criminal Model”

### **Brown University, A.B. in Political Science, *magna cum laude*, 2002**

Honors Thesis: “AIDS, the WTO, and the Human Right to Health”

## ARTICLES, ESSAYS, & BOOK CHAPTERS

*From Gods to Google* (w/ Rebecca Aviel, Margot Kaminski, Toni Massaro) 134 YALE LAW JOURNAL (forthcoming).

*The New Social Contracts*, 77 VANDERBILT LAW REVIEW (forthcoming).

*Shallow Fakes* (w/ Albertina Antognini), 128 PENNSYLVANIA STATE LAW REVIEW 69 (2023).

*Public Law, Private Platforms*, 107 MINNESOTA LAW REVIEW 1249 (2023).

*Diverse Patient Attitudes Towards AI in Healthcare* (w/ Chris Robertson, Kelly Bergstrand, Jess Findley, Cayley Balser, Marvin J. Slepian), PLOS DIGITAL HEALTH 2(5) (2023).

*Artificial Intelligence and Sovereignty*, DATA SOVEREIGNTY ALONG THE SILK ROAD (Anupam Chander & Haochen Sun eds., Oxford University Press, 2023)

*Robophobia*, 93 COLORADO LAW REVIEW 51 (2022).

*The Wrong Way to Weigh Rights*, INTERNATIONAL LAW AS BEHAVIOR (Harlan Grant Cohen & Timothy Mayer, eds., Cambridge University Press, 2021).

*Keeping the Patient at the Center of Machine Learning in Healthcare*, 20 AMERICAN JOURNAL OF BIOETHICS 54 (2020) (w/ Chris Robertson, Jess Findley, Marvin J. Slepian).

*Mutual Legal Assistance in the Digital Age*, THE CAMBRIDGE HANDBOOK OF SURVEILLANCE LAW (Stephen Henderson & David Gray eds., Cambridge University Press, 2020).

*Litigating Data Sovereignty*, 128 YALE LAW JOURNAL 328 (2018).

*Discounting Rights*, 51 N.Y.U. JOURNAL OF INTERNATIONAL LAW & POLITICS 509 (2018).

*The Transparency Tax*, 71 VANDERBILT LAW REVIEW 1 (2018).

*Tech Firms Are Not Sovereigns*, Brookings/Hoover Institution (2018).

*Encryption's Substitutes*, Brookings/Hoover Institution (2017).

*Against Data Exceptionalism*, 68 STANFORD LAW REVIEW 729 (2016).

*Psychic Numbing and Mass Atrocity* (with Ryan Goodman, Derek Jinks, Paul Slovic and David Zionts), in Shafir, E. (Ed.), THE BEHAVIORAL FOUNDATIONS OF PUBLIC POLICY (Princeton University Press, 2012).

*Social Science and Human Rights* (with Ryan Goodman and Derek Jinks), in Goodman, Jinks & Woods (Eds.), UNDERSTANDING SOCIAL ACTION, PROMOTING HUMAN RIGHTS (Oxford University Press, 2012).

*The Limits of Moral Intuitions for Human Rights Advocacy*, 9 LAW AND ETHICS OF HUMAN RIGHTS 91 (2015) (Peer Reviewed).

*Moral Judgments & International Crimes: The Disutility of Desert*, 52 VIRGINIA JOURNAL OF INTERNATIONAL LAW 633 (2012).

*Toward a Situational Model for Regulating International Crimes*, 13 CHICAGO JOURNAL OF INTERNATIONAL LAW 179 (2012).

*A Behavioral Approach to Human Rights*, 51 HARVARD INTERNATIONAL LAW JOURNAL 51 (2010).

## BOOKS

UNDERSTANDING SOCIAL ACTION, PROMOTING HUMAN RIGHTS (Oxford University Press, 2012) (co-edited with Ryan Goodman and Derek Jinks).

## OTHER PUBLICATIONS

- [“The State of International Cooperation for Lawful Access to Digital Evidence,”](#) UNITED NATIONS COUNTER TERRORISM EXECUTIVE DIRECTORATE (January 2022).
- [“A Safe Harbor for Platform Research,”](#) (with Alex Abdo, Ramya Krishnan, Stephanie Krent, and Evan Welber Falcón) KNIGHT FIRST AMENDMENT INSTITUTE AT COLUMBIA UNIVERSITY (Jan. 19, 2022).
- [“Internet Speech Will Never Go Back to Normal,”](#) (with Jack Goldsmith) THE ATLANTIC (Apr. 25, 2020).
- [“Our Robophobia,”](#) LAWFARE (Feb. 19, 2020).
- [“China and the Hypocrisy of American Speech Imperialism,”](#) LAWFARE (Oct. 28, 2019).
- [“The CJEU Facebook Ruling: How Bad Is It, Really?,”](#) LAWFARE (Oct. 4, 2019).
- [“Three Things to Remember from Europe’s ‘Right to Be Forgotten’ Decisions,”](#) LAWFARE (Oct. 1, 2019).
- [“Litigating Data Sovereignty,”](#) LAWFARE (Dec. 10, 2018).
- [“Do Constitutional Rights and Human Rights Matter?,”](#) LAWFARE (July 18, 2018).
- [“The Cambridge Analytica-Facebook Debacle: A Legal Primer,”](#) LAWFARE (Mar. 20, 2018).
- [“Analysis of Microsoft-Ireland Supreme Court Oral Argument,”](#) LAWFARE (Feb. 27, 2018).
- [“Recap: Oral Arguments in Microsoft-Ireland,”](#) LAWFARE (Feb. 27, 2018).
- [“Mueller’s Indictment of Russian Hackers Highlights the Stakes of the Microsoft Case,”](#) LAWFARE (Feb. 17, 2018).
- [“Interview: The British Perspective on the Cross-Border Data Problem,”](#) LAWFARE (Feb. 7, 2018).
- [“The CLOUD Act: A Welcome Legislative Fix for Cross-Border Data Problems,”](#) LAWFARE (Feb. 6, 2018) (with Peter Swire).
- [“A Primer on Microsoft Ireland, the Supreme Court’s Extraterritorial Warrant Case,”](#) LAWFARE (Oct. 16, 2017).
- [“Google Takes the Global Delisting Debate to a U.S. Court,”](#) LAWFARE (July 27, 2017).
- [“No, The Canadian Supreme Court Did Not Ruin the Internet,”](#) LAWFARE (July 6, 2017).
- [“The Simplest Cross-Border Fix: Removing ECPA’s Blocking Features,”](#) LAWFARE (June 15, 2017).
- [“Lessons from the Mutual Legal Assistance Reform Effort,”](#) LAWFARE (May 22, 2017).
- [“The Tallinn Manual 2.0, Sovereignty 1.0,”](#) LAWFARE (Feb. 8, 2017).

[“Draining the Valley Instead of the Swamp,”](#) LAWFARE (Feb. 6, 2017).  
[“Implications of the EU's Data Retention Ruling,”](#) LAWFARE (Dec. 22, 2016).  
[“Congress Should Embrace the DOJ’s Cross-Border Data Fix,”](#) LAWFARE (Aug. 1, 2016) (with Jennifer Daskal).  
[“Reactions to the Microsoft Warrant Case,”](#) LAWFARE (July 15, 2016).  
[“Silicon Valley’s Regulatory Lament,”](#) LAWFARE (June 3, 2016).  
[“Why Did Apple Ask for the FBI’s Request to be Sealed?,”](#) LAWFARE (Mar. 18, 2016).  
[“Trust, Apple, and the First Amendment,”](#) LAWFARE (Feb. 23, 2016).  
[“Can the Government Compel Apple to Speak?,”](#) LAWFARE (Feb. 18, 2016).  
[“The US-UK Data Deal,”](#) LAWFARE (Feb. 10, 2016).  
[“ISIS Was Born In An American Detention Facility \(And It Wasn’t Gitmo\),”](#) LAWFARE (Feb. 3, 2016).  
[“Cross-Border Data Requests: Response to Greg Nojeim,”](#) LAWFARE (Dec. 7, 2015) (with Jennifer Daskal).  
[“Dark Clouds over the Internet,”](#) NEW YORK TIMES (December 1, 2015).  
[“Cross-Border Data Requests: A Proposed Framework,”](#) LAWFARE (Nov. 24, 2015) (with Jennifer Daskal).  
[“Procedural Options for Improving Cross-Border Requests for Data,”](#) LAWFARE (Oct. 13, 2015).  
[“Lowering the Temperature on the Microsoft-Ireland Case,”](#) LAWFARE (Sep. 11, 2015).  
[“Data Beyond Borders,”](#) Global Network Initiative Report (January, 2015).  
[“These Revolutions Are Not All Twitter,”](#) INTERNATIONAL HERALD TRIBUNE (February 2, 2011).  
[“The Business End,”](#) THE FINANCIAL TIMES MAGAZINE (June 27, 2008).  
[“The YouTube Defense,”](#) SLATE (March 28, 2007).

## AWARDS

Fulbright Schuman Innovation Award (2022-2023)

University of Arizona Distinguished Research Scholar (2022-2025)

## OTHER PROFESSIONAL EXPERIENCE

United Nations Security Council Counter-Terrorism Executive Directorate (CTED), *Consultant* (2022)

Knight First Amendment Institute at Columbia University, *Consultant* (2020—2021)

Global Network Initiative, *Consultant* (2014—2015)

Racing Horse Productions, *Story Consultant* (2009-2012)

GOOD Magazine, *Essays Editor* (2006-2008)

Mayer Brown, *Summer Associate* (Summer 2006)

WilmerHale, *Summer Associate* (Summer 2006)

American Civil Liberties Union (National Legal Department), *Summer Associate* (Summer 2005)

The Lawyer's Collective for HIV/AIDS, *Legal Intern* (New Delhi) (Summer 2004)

The Wylie Agency, *Assistant Literary Agent* (2002-2004)

## REGULATORY TESTIMONY

"The State of International Cooperation for Lawful Access to Digital Evidence," Testimony Before the United Nations Security Council Counter Terrorism Committee (January 2022)

"Data Stored Abroad," Testimony Before the House Judiciary Committee (June, 2017)

## SELECTED PRESENTATIONS

"Public Law, Private Platforms," Copenhagen University (April 2023); Georgetown Law School (March 2023); Washington University Law School (April 2022).

"Shallow Fakes," Yale Law School (March 2022).

"The State of International Cooperation for Lawful Access to Digital Evidence," United Nations Counter Terrorism Committee (February 2022).

"Diverse Patient Attitudes Towards AI in Healthcare," WeRobot (September 2021).

"Data Sovereignty and Artificial Intelligence," Georgetown University (May, 2021).

"The Public Costs of Private Platforms," Hoover Institution (June 2021).

"Robophobia," Arizona State University Law School (September 2020).

"Litigating Data Sovereignty," Yale Law School (October 2018).

"Electronic Evidence Gathering in 2025," Department of Justice / CSIS (June 2016).

"Internet Data and the Need for MLAT Reform," Chinese Ministry of Justice (Feb. 2016).

"Against Data Exceptionalism," Berkman Center for Internet and Society (June 2015); NYU Law School (May 2015); Wilton Park (UK, Feb. 2015); Center for Strategic and International Studies (Jan. 2015); Junior International Law Society Association annual meeting (Jan. 2015).

"Civil Society Doesn't Need New Data Rules," Stanford's Center for Philanthropy and Civil Society (Sept. 2014).

"The Wrong Way to Measure Rights," University of Chicago Law School (Oct. 2014).

"Reticent Regulation," Law and Society Association Annual Meeting (June 2013); Stanford Center for International Security and Cooperation (May 2013).

"Cybersecurity: Markets, Norms, Laws & Architectures," FEMA National Lessons Learned Forum (June 2013); World Affairs Council (May 2013); Microsoft (Apr. 2013); RSA (cybersecurity conference) (Feb. 2013).

"What Can COIN Teach Human Rights?," panel discussant at Duke Conference on Law and National Security (Apr. 2012).

- “A Social Influence Model of International Crime,” paper presented at: Yale Law School (Mar. 2012), Chicago Law School (Jan. 2012), Toronto Law School (Jan. 2012), Washington University Law School (Dec. 2011), UC Irvine Law School (Dec. 2011), USC Law School (Dec. 2011), Peking School of Transnational Law (Dec. 2011), and Harvard Law School (Nov. 2011).
- “Moral Judgments and International Crimes,” Law and Society Association Annual Meeting (June 2011).
- “A Behavioral Approach to Human Rights,” American Society of International Law 104<sup>th</sup> Annual Meeting, “New Voices” Panel (Mar. 2010).
- “A Consequentialist Approach to International Criminal Law,” NYU Law School (Dec. 2009).
- “Behavioralism and International Law,” paper selected for presentation at: the University of Cambridge (June 2009), the London School of Economics (May 2009), the University of Oxford (May 2009), and the University of Lisbon – European Consortium for Political Research Joint Session (Apr. 2009).
- “Rule of Law from the Ground Up,” Center for New American Security (Sep. 2008).
- “Understanding Social Action, Promoting Human Rights,” Berkman Center for Internet and Society at Harvard University (Aug. 2008).
- “New Media and Social Change,” Rhode Island School of Design (Apr. 2008).
- “Soldier Testimony,” Brown University - Watson Institute for International Studies (Oct. 2007).

BAR ADMISSION: New York.