

Steven Arrigg Koh

Associate Professor of Law and R. Gordon Butler Scholar in International Law

Boston University School of Law
765 Commonwealth Ave. | Boston, MA 02215

ACADEMIC APPOINTMENTS

YALE LAW SCHOOL, New Haven, CT

Senior Research Scholar, 2023–Present

YALE DEPARTMENT OF SOCIOLOGY, New Haven, CT

Visiting Fellow, Center for Cultural Sociology, 2023–Present

BOSTON UNIVERSITY SCHOOL OF LAW, Boston, MA

Associate Professor of Law, R. Gordon Butler Scholar in International Law, 2022–Present

- Teaching 1L Criminal Law; International Law

BOSTON COLLEGE LAW SCHOOL, Newton Centre, MA

Marianne D. Short and Ray Skonyra Sesquicentennial Assistant Professor of Law, 2019–2022

- Taught 1L Criminal Law; Criminal Procedure (Investigations); and Law, Justice, and Culture Seminar.
- Innovation in Pedagogy Award

COLUMBIA LAW SCHOOL, New York, NY

Associate in Law, 2017–2019

GEORGETOWN LAW CENTER, Washington, D.C.

Adjunct Professor of Law, 2015–2017

- Taught International and Transnational Criminal Law

EDUCATION

YALE UNIVERSITY, New Haven, CT

Ph.D. Candidate, Sociology

CORNELL LAW SCHOOL, Ithaca, NY

J.D., 2008

Honors: *Cornell Law Review*, Senior Article Editor (Committee Chair); Dean's List;
CALI Excellence for the Future Award

Activities: Asian Pacific American Law Students Association; Jessup International Moot Court Team

UNIVERSITY OF CAMBRIDGE, Cambridge, England

M.Phil., Social and Developmental Psychology, 2005

HARVARD COLLEGE, Cambridge, MA

A.B., Psychology, *cum laude*, 2004

ARTICLES, ESSAYS, AND BOOK CHAPTERS

Criminal Law's Hidden Consensus, 101 WASH. U. L. REV. ___ (forthcoming 2024).

Essay, *Teaching "Is This Case Rightly Decided?"*, 108 MINN. L. REV. HEADNOTES 125 (2024).

How Do Prosecutors "Send a Message"?, 57 U.C. DAVIS L. REV. 353 (2023).

Prosecution and Polarization, 50 FORDHAM URB. L.J. 1117 (2023) (invited contribution, *The Future of Prosecution Symposium*).

Policing & The Problem of Physical Restraint, 64 B.C. L. REV. 309 (2023).

"Cancel Culture" and Criminal Justice, 74 HASTINGS L.J. 79 (2022).

Othering Across Borders, 70 DUKE L.J. ONLINE 171 (2021) (invited contribution, *Reckoning & Reformation: Reflections and Legal Responses to Racial Subordination and Structural Marginalization Symposium*).

The Criminalization of Foreign Relations, 90 FORDHAM L. REV. 737 (2021).

Core Criminal Procedure, 105 MINN. L. REV. 251 (2020).

Foreign Affairs Prosecutions, 94 N.Y.U. L. REV. 340 (2019).

Marbury Moments, 54 COLUM. J. TRANSNAT'L L. 116 (2015).

Geography and Justice: Why Prison Location Matters in U.S. and International Theories of Criminal Punishment, 47 VAND. J. TRANSNAT'L L. 1267 (2013).

The Emerging Enforcement Practice of the International Criminal Court, 45 CORNELL J. INT'L L. 1 (2012) (with Hiram Abtahi).

Enhancing Enforcement of Economic, Social and Cultural Rights Using Indicators: A Focus on the Right to Education in the ICESCR, 32 HUM. RTS. Q. 253 (2010) (with Sital Kalantry and Jocelyn E. Getgen).

A New Perspective on HIV/AIDS, Identity, and Human Rights, in SYMBOLIC TRANSFORMATION: THE MIND IN MOVEMENT THROUGH CULTURE AND SOCIETY 284 (2010).

United States Administrative Protective Order Law and Sanctions: Accessing Information Through Agencies, 2 GLOBAL TRADE & CUSTOMS J. 369 (2007) (with Gary Horlick).

Note, *"Respectful Consideration" After Sanchez-Llamas v. Oregon: Why The Supreme Court Owes More to the International Court of Justice*, 93 CORNELL L. REV. 243 (2007).

BLOGS, MEDIA, AND OTHER WRITINGS

Introductory Note to Prosecutor v. Ratko Mladić (U.N. Int'l Residual Mechanism Crim. Tribunals App. Chamber), 61 I.L.M. 207 (2022).

Reconciling Art and Law: Poetic Pursuits vs. Prosaic Profession, BOSTON COLLEGE LAW SCHOOL MAGAZINE (2022).

What Role Should Criminal Justice Play in Foreign Relations?, LAWFARE, Jan. 28, 2022.

The Huawei DPA: A Prologue to the Global Arrest Game?, JUST SECURITY, Oct. 8, 2021.

The Mladić Appeal Judgment and the Enduring Legacy of the Hague Tribunals, JUST SECURITY, June 28, 2021.

Criminalizing Foreign Relations: How the Biden Administration Can Prevent a Global Arrest Game, JUST SECURITY, Dec. 18, 2020.

Our Vulnerabilities Exposed: Covid-19 Shows Weaknesses in Criminal and International Law, BOSTON COLLEGE LAW SCHOOL MAGAZINE, July 16, 2020.

Julian Assange and Omar al-Bashir: What Comes Next for Two Global Fugitives?, JUST SECURITY, Apr. 12, 2019.

Huawei Arrest: How It Likely Happened and What Comes Next, JUST SECURITY, Dec. 10, 2018.

The Trump-Bolton Misdirection on Russian Extradition: Plenty of Legal Options Exist to Gain Custody of Russian Suspects, JUST SECURITY, July 16, 2018.

Presence and Politics at the International Criminal Court, ASIL INSIGHTS, June 1, 2015.

4 Things You Should Know About the Hague, HUFFINGTON POST, Aug. 28, 2014.

Introductory Note to Prosecutor v. Germain Katanga: Judgment on the Appeal Against the Decision of Trial Chamber II of 21 November 2012, 52 I.L.M. 873 (2013).

PROFESSIONAL EXPERIENCE

OFFICE OF INTERNATIONAL AFFAIRS, U.S. DEPARTMENT OF JUSTICE, Washington, D.C.
Trial Attorney, 2014–2017

- Advised U.S. federal and state prosecutors on international, criminal, and constitutional legal issues arising from U.S. criminal cases with transnational aspects.
- Litigated transnational criminal cases arising in the First, Third, Fourth, Sixth, Seventh, Eighth, Tenth and District of Columbia Circuits.
- Participated in multilateral meetings of the Organization of American States in Colombia with Attorney General Loretta Lynch and in Peru with Deputy Attorney General Sally Yates.

CRIMINAL DIVISION, U.S. DEPARTMENT OF JUSTICE, Washington, D.C.
Counsel to the Deputy Assistant Attorney General and Counselor for International Affairs, 2016

- Assisted in negotiating a bilateral law enforcement treaty, drafted amendments to Title 18 of the U.S. code, and helped prepare the Attorney General for meetings with foreign counterparts.
- Focused on complex bilateral and multilateral issues arising from three Criminal Division offices: the Office of International Affairs; the Office of Overseas Prosecutorial Development, Assistance, and Training; and the International Criminal Investigative Training Assistance Program.

AMERICAN SOCIETY OF INTERNATIONAL LAW, Washington, D.C.
Senior Fellow and Interim Attorney-Editor / International Law Fellow, 2013–2014

- Served as managing editor of *International Legal Materials*, *ASIL Insights*, and *International Law in Brief*.
- Worked with the Society's Judicial Advisory Board, which is chaired by U.S. Supreme Court Justice Ruth Bader Ginsburg and consists of judges from each of the U.S. Circuit Courts of Appeal.

UNITED NATIONS INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA, The Hague, Netherlands

Associate Legal Officer, 2011–2013

- Worked in Trial Chamber III on the *Prosecutor v. Radovan Karadžić* case.
- Helped draft decisions, orders, legal memoranda, and portions of the final judgment.

INTERNATIONAL CRIMINAL COURT, The Hague, Netherlands

Visiting Professional / Legal Assistant to the Legal Adviser to the ICC Presidency, 2010–2011

- Assisted the Legal Adviser on diverse criminal and public international legal matters, including enforcement of sentences, detention, and genocide.
- Negotiated bilateral enforcement agreements with States Parties on the basis of enforcement provisions in the Rome Statute, Rules of Procedure and Evidence, and Regulations of the Court.

UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT, Houston, TX and New Orleans, LA

Law Clerk to the Honorable Carolyn Dineen King, 2008–2009

- Drafted legal opinions and orders, wrote bench memos, and researched legal issues relevant to federal appellate cases before Judge King.
- Worked on a wide variety of legal matters, including criminal law, constitutional law, and immigration law.

INTERNATIONAL HUMAN RIGHTS CLINIC, CORNELL LAW SCHOOL, Ithaca, NY

Student Advocate, 2007–2008

- Prepared a brief on the right to education for the Robert F. Kennedy Memorial Center for Human Rights that was presented to the Inter-American Commission on Human Rights in Washington, D.C.
- Served as a member of a delegation, sponsored by Senator Edward M. Kennedy of the United States and Senator Alexander Lopez Maya of Colombia, that traveled to Colombia to meet with judges, lawyers, and human rights advocates.

WILMERHALE LLP, Washington, D.C. and Boston, MA

Summer Associate, 2007

- Worked in public policy litigation, international trade, and general corporate law.

SELECTED PRESENTATIONS

UNIVERSITY OF VIRGINIA CRIMINAL LAW COLLOQUIUM (Feb. 5, 2024), Charlottesville, VA, “Teaching ‘Is This Case Rightly Decided?’”

WASHINGTON UNIVERSITY LAW REVIEW SYMPOSIUM (Jan. 22, 2024), St. Louis, MO, “Justifying Criminal Law Minimalism”

NEW YORK LAW SCHOOL (Oct. 16, 2023), New York, NY, “Teaching ‘Is This Case Rightly Decided?’”

CRIMFEST (July 17, 2023), New York, NY, “Disaggregating ‘Is This Case Rightly Decided?’”

CULP COLLOQUIUM (May 15, 2023), Durham, NC, “Prosecutorial Messaging”

HARVARD LAW SCHOOL CRIMINAL JUSTICE ROUNDTABLE (Apr. 28, 2023), Cambridge, MA, “Prosecutorial Messaging”

VIRGINIA-CHICAGO FOREIGN RELATIONS LAW ROUNDTABLE (Apr. 21, 2023), Charlottesville, VA, “Criminal Law and International Conflict”

***PACE INTERNATIONAL LAW REVIEW* SYMPOSIUM: “21ST CENTURY CONFLICT: INTERNATIONAL LAW AND THE WAR IN UKRAINE”** (Apr. 14, 2023), White Plains, NY, “Beyond ICC Arrest Warrants: America & Transnational Accountability for War Crimes in Ukraine”

***FORDHAM URBAN LAW JOURNAL* SYMPOSIUM: “THE FUTURE OF PROSECUTION”** (Mar. 3, 2023), New York, NY, “Prosecution and Polarization”

JUNIOR INTERNATIONAL LAW SCHOLARS ASSOCIATION (Jan. 13, 2023), Boston, MA, “International Law in the Twenty-First Century”

CHICAGO CRIMINAL LAW THEORY WORKSHOP (Nov. 5, 2022), Chicago, IL, “When Should Prosecutors Indict?”

RACE, GENDER, AND CRIME SEMINAR (FORDHAM LAW, PROFESSOR BENNETT CAPERS) (Sep. 14, 2022), New York, NY, “Policing & The Problem of Physical Restraint”

CRIMFEST (July 19, 2022), New York, NY, “Policing & The Problem of Physical Restraint”

CULP COLLOQUIUM (June 13, 2022), Chicago, IL, “Policing & The Problem of Physical Restraint”

HARVARD DIVINITY SCHOOL (Feb. 18, 2022), “Univitalism and American Law”

JUNIOR INTERNATIONAL LAW SCHOLARS ASSOCIATION ANNUAL MEETING (Jan. 14, 2022), Miami, FL, “Polarization and the Criminal Trial”

NORTHEASTERN UNIVERSITY SCHOOL OF LAW (Jan. 12, 2022), Boston, MA, “‘Cancel Culture’ and the Structure of Public Condemnation”

ASSOCIATION OF AMERICAN LAW SCHOOLS ANNUAL MEETING (Jan. 8, 2022), “AALS Discussion Group Program – The Law of the Foreign Relations Bureaucracy”

RESEARCH FORUM OF THE AMERICAN SOCIETY OF INTERNATIONAL LAW (Nov. 11, 2021) (blind selected from national call), “Polarization and the Criminal Trial”

CULP COLLOQUIUM (Sep. 8, 2021), “‘Cancel Culture’ and Criminal Justice”

CRIMFEST VIRTUAL WORKSHOP (Sep. 8, 2021), “‘Cancel Culture’ and Criminal Justice”

SANTA CLARA UNIVERSITY SCHOOL OF LAW (Mar. 25, 2021), “The Criminalization of Foreign Relations”

GEORGETOWN LAW CENTER – INTERNATIONAL LAW COLLOQUIUM (Feb. 26, 2021), “The Criminalization of Foreign Relations”

TEMPLE UNIVERSITY BEASLEY SCHOOL OF LAW – INTERNATIONAL LAW COLLOQUIUM (Feb. 3, 2021), “The Criminalization of Foreign Relations”

JUNIOR INTERNATIONAL LAW SCHOLARS ASSOCIATION ANNUAL MEETING (Jan. 15, 2021), “The Criminalization of Foreign Relations”

DUKE LAW SCHOOL SYMPOSIUM – RECKONING AND REFORMATION: REFLECTIONS AND LEGAL RESPONSES TO RACIAL SUBORDINATION (Dec. 7, 2020), “Othering Across Borders”

RESEARCH FORUM OF THE AMERICAN SOCIETY OF INTERNATIONAL LAW (Oct. 29, 2020) (blind selected from national call), “The Criminalization of Foreign Policy”

SOUTHEASTERN ASSOCIATION OF LAW SCHOOLS ANNUAL CONFERENCE (Aug. 4, 2020), “The Criminalization of Foreign Policy”

CULP COLLOQUIUM (June 8, 2020), “The Global Arrest Game”

MICHIGAN LAW JUNIOR SCHOLARS CONFERENCE (Apr. 18, 2020) (blind selected from national call), “Core Criminal Procedure”

BOSTON UNIVERSITY LAW SCHOOL FACULTY WORKSHOP, Boston, MA (Feb. 6, 2020), “Core Criminal Procedure”

JUNIOR INTERNATIONAL LAW SCHOLARS ASSOCIATION ANNUAL MEETING, Ithaca, NY (Jan. 10, 2020), “Core Criminal Procedure”

RESEARCH FORUM OF THE AMERICAN SOCIETY OF INTERNATIONAL LAW, New York, NY (Nov. 9, 2019) (blind selected from national call), “Core Criminal Procedure”

CRIMFEST, New York, NY (July 15, 2019), “Core Criminal Procedure”

RESEARCH FORUM OF THE AMERICAN SOCIETY OF INTERNATIONAL LAW, St. Louis, MO (Oct. 28, 2017) (blind selected from national call), “Advancing Criminal Legal Extraterritoriality”

ANNUAL MEETING OF THE AMERICAN SOCIETY OF INTERNATIONAL LAW, Washington, D.C. (Mar. 31, 2016) (blind selected from national call), “Criminal Convergence,” presented on the “New Voices” panel

RESEARCH FORUM OF THE AMERICAN SOCIETY OF INTERNATIONAL LAW, Washington, D.C. (Oct. 24, 2015) (blind selected from national call), “Criminal Legal Adaptations”

GEORGETOWN LAW CENTER, Washington, D.C. (Jan.–Mar. 2015), Four guest lectures (international criminal tribunals, the International Criminal Court, genocide, crimes against humanity and torture) in International Criminal Law course

CREIGHTON LAW SCHOOL, Omaha, NE (Nov. 10, 2014), “Perspectives on International Law: Theory and Practice”

CORNELL LAW SCHOOL, Ithaca, NY (Apr. 14, 2014), “From Ithaca to The Hague: Advancing Global Justice at the International Courts”

U.S. SENATE, Washington, D.C. (Nov. 22, 2013), “The United States and The U.N. Convention on the Rights of Persons with Disabilities” (moderator)

UNITED NATIONS INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA, The Hague, Netherlands (July 12, 2011), “International Human Rights at the International Criminal Tribunal for the former Yugoslavia”

SUNGSHIN UNIVERSITY, Seoul, South Korea (May 12, 2010), “International Human Rights Law: America, Korea, and Abroad”

PROFESSIONAL AFFILIATIONS AND SERVICE

AMERICAN SOCIETY OF INTERNATIONAL LAW

- *Co-Chair*, International Criminal Law Interest Group (2024–present)
- *Member*, Midyear Meeting Committee (2023)
- *Member*, Development Committee (2022–2023)
- *Member*, Book Awards Committee (2021)
- *Member*, David D. Caron Prize Committee (2020)
- *Member*, Membership Committee (2016–19)

JUNIOR INTERNATIONAL LAW SCHOLARS ASSOCIATION

- *Co-Chair* (2021–23)

INSTITUTIONAL SERVICE AND FACULTY GOVERNANCE

BOSTON UNIVERSITY SCHOOL OF LAW

- *Faculty Advisor*, 1L students (2022–present)
- Clerkships Committee (2022–23)

BOSTON COLLEGE LAW SCHOOL

- Appointments Committee (2021–2022)
- Diversity, Equity, and Inclusion Committee (2020–2021)
- Diversity, Equity, and Inclusion Grievance Procedure Committee (2020–2021)
- *Faculty Advisor*, *Boston College Law Review* (2021–2022)
- *Faculty Advisor*, International Law Society (2021–2022)
- *Faculty Advisor*, LLM students (2021–2022)
- *Faculty Advisor*, 1L students (2019–2022)
- *Plenary Lecturer* and *Small Group Facilitator*, “Critical Perspectives in Law and Professional Identity” Course (2021)
- Diversity, Equity, and Inclusion Director Search Committee (2020–21)
- Assessments Committee (2020)
- Public Service Committee (2019–21)

AWARDS AND HONORS

Professional Certificate in Songwriting (Berklee College of Music, 2023)

Innovation in Pedagogy Award (Boston College Law School, 2022)

Exemplary Public Service Alumni Award (Cornell Law School, 2019)

Award for Outstanding Services and Contributions to the Asian-American Community in the United States
(Korean-American Citizens League of New England, 2016)

BAR ADMISSIONS

District of Columbia (2012)

New York (2010)

Massachusetts (2008)