JACOB D. CHARLES

Executive Director, Duke Center for Firearms Law
Lecturing Fellow, Duke Law School
210 Science Drive, Durham, NC 27708
jacob.charles@law.duke.edu | 919-613-8641

EDUCATION

DUKE UNIVERSITY, Durham, NC

J.D., *magna cum laude* — 2013
- *Order of the Coif*
- Notes Editor, *Duke Law Journal*
- Moot Court Board

M.A., Political Science — 2013
- Fields: *Normative Political Theory and Political Philosophy* & *Political Institutions*

BIOLA UNIVERSITY, La Mirada, CA

M.A., Philosophy, highest honors — 2010
M.A., Theology, highest honors — 2010

UNIVERSITY OF CALIFORNIA, IRVINE, CA

B.A., Criminology and Psychology, *magna cum laude* — 2007

EXPERIENCE

Duke University School of Law, Durham, NC
Lecturing Fellow & *Executive Director*, Duke Center for Firearms Law, February 2019-present

McGuireWoods LLP, Raleigh, NC
Associate, 2017-2019

Hon. Allyson K. Duncan, U.S. Court of Appeals for the Fourth Circuit, Raleigh, NC
Law Clerk, 2016-2017

Hon. Colleen McMahon, U.S. District Court for the Southern District of New York, New York, NY
Law Clerk, 2015

O'Melveny & Myers LLP, Washington, DC
Associate, 2013-2015; *Summer Associate*, 2012

American Civil Liberties Union of North Carolina, Raleigh, NC
Legal Intern, 2011

PUBLICATIONS

Second Amendment Animus, 116 NW. U. L. REV. (forthcoming 2021)

Pointing Guns, 99 TEX. L. REV. (forthcoming 2021) (with Joseph Blocher, Samuel Buell & Darrell Miller)

Constructing a Constitutional Right: Borrowing and Second Amendment Design Choices, 99 N.C. L. REV. (forthcoming 2021) [ssrn]

Firearms, Extreme Risk, and Legal Design: "Red Flag" Laws and Due Process, 106 VA. L. REV. 1285 (2020) (with Joseph Blocher) [ssrn] [www]

- Highlighted in *Daily Bulletin: 'Red Flag' Laws Are Popular. Do They Violate Due Process?*, THE TRACE, October 21, 2020

A Double Filter Provision for Expanded Red Flag Laws: A Proposal for Balancing Rights and Risks in Preventing Gun Violence, 48 J.L. MED. & ETHICS (forthcoming 2020) (with Gabriel Delaney)

Defeasible Second Amendment Rights: Conceptualizing Gun Laws That Dispossess Prohibited Persons, 83 L. & CONTEMP. PROBS 53 (2020) [ssrn] [www]

The Geography of a Constitutional Right: Gun Rights Outside the Home, 83 L. & CONTEMP. PROBS i (2020) (with Joseph Blocher & Darrell Miller) [www]

Note, *The Debt Limit and the Constitution: How the Fourteenth Amendment Forbids Fiscal Obstructionism*, 62 DUKE L. J. 1227 (2013) [ssrn] [www]

WORKS IN PROGRESS

The Trajectory of Federal Gun Crimes (with Brandon Garrett)

The Shadow Second Amendment: The Right To Keep and Bear Arms Outside the Constitution

An Overview of Gun Registration in U.S. History (with Genesa Cefali)

SHORTER ARTICLES AND POPULAR WORKS

COVID Lays Bare the Need for Attending to Second Amendment Theory, NW. L. REV. OF NOTE (May 28, 2020), https://blog.northwesternlaw.review/?p=1441

The Duke Repository of Historical Gun Laws: A Resource for Scholars, Litigants, and the Interested Public, THE FEDERALIST: SOCIETY FOR HISTORY IN THE FEDERAL GOVERNMENT NEWSLETTER (Spring 2020)

The "Charleston Loophole" and the Second Amendment, JURIST ACADEMIC COMMENTARY (Mar. 21, 2019), https://www.jurist.org/commentary/2019/03/jacob-d-charles-charleston-loophole/

SECOND THOUGHTS BLOG, https://firearmslaw.duke.edu/secondthoughts/
Editor and Regular Contributor

TEACHING EXPERIENCE

Second Amendment: History, Theory, and Practice – Spring 2020, Fall 2020 (co-taught with Joseph Blocher)

Law & Violence – Fall 2020 (co-taught with Joseph Blocher)

Guest lecturer for class session on the Second Amendment, *Violence and Public Health* – Fall 2019, UNC-Greensboro (Prof. Erica Payton)

PRESENTATIONS

Presenter, *A Right to Bear Arms? A Debate on the Importance of the Second Amendment in Contemporary America*, Georgetown University Federalist Society, October 14, 2020

Panelist, Symposium on *The Second Amendment's Next Chapter*, Northwestern University Law Review, October 9, 2020

Presenter, Cliveden Conversation Series, *The History of Gun Rights and Regulation in American History*, Cliveden of the National Trust, September 16, 2020

Presenter, Symposium on *Seeing Red: Risk-Based Gun Regulation*, University of Alabama Law & Psychology Review, February 21, 2020

Moderator, *Hot Topic: The Second Amendment at the Supreme Court and the Future of* Heller, Association of American Law Schools, Washington, D.C., January 4, 2020

Moderator, *The Second Amendment at the Supreme Court: A Conversation with Nina Totenberg*, Washington, D.C., December 12, 2019

Presenter, *Citizen Debate on the Second Amendment*, Empower the People, Durham, North Carolina, November 8, 2019

Panelist, *Campus Carry Debate*, UNC Federalist Society, University of North Carolina, Chapel Hill, North Carolina, October 24, 2019

Presenter, *Debate on the Constitutionality of an Assault Weapons Ban*, Cornell Political Union, Cornell University, Ithaca, New York, October 1, 2019

Presenter, *Defeasible Second Amendment Rights: Conceptualizing Gun Laws That Dispossess Prohibited Persons*, Symposium on Gun Rights and Regulation Outside the Home, Duke University School of Law, Durham, North Carolina, September 27, 2019

Panelist, *Supreme Court Update*, Gun Violence Prevention Grantee Convening, Joyce Foundation, Chicago, Illinois, May 8, 2019

Presenter, *The Second Amendment: History, Politics, and Religion*, Theology Uncorked with Crosspointe Church, Cary, North Carolina, April 23, 2019

Panelist, *Enough: Speaker Panel on Gun Violence Prevention*, Wake Forest University, Winston-Salem, North Carolina, April 16, 2019

Presenter, *Proceduralism, Majority Rule, and the Legitimacy of Judicial Review*, Duke Law Student Scholarship Workshop, Durham, North Carolina, September 11, 2013

Presenter, *The Proceduralist Case for Judicial Review*, Duke Law Student Scholarship Workshop, Durham, North Carolina, March 4, 2013

MEDIA

Quoted in Champe Barton, "The Case That Could Topple the Gun Industry's Special Legal Protections," THE TRACE, October 2, 2020

Quoted in Stephen Gutowski, "Barrett Nomination Could Signal End of Supreme Court Inaction on Guns," WASHINGTON FREE BEACON, September 29, 2020

Quoted in Ian Timberlake, "Fact Check: Kamala Harris does not oppose gun ownership or the Second Amendment," AGENCE FRANCE-PRESSE, August 18, 2020

Quoted in Heath Druzin & Leigh Paterson, "Guns Are An Increasing Danger At Already Tense Protests," GUNS & AMERICA, July 30, 2020

Quoted in Jamie Ehrlich, "Supreme Court again declines to take up Second Amendment cases," CNN, June 15, 2020

Quoted in Jeremy Bernfeld, "Supreme Court Shelves Second Amendment Cases—For Now," GUNS & AMERICA, June 15, 2020

Quoted in Taryn Hoffman, "Background Checks on Buyers Can't Keep Up with Surge in Gun Sales," WHOWHATWHY, June 11, 2020

Quoted in Jamie Ehrlich, "10 cases that could change how the Supreme Court looks at the Second Amendment," CNN, May 26, 2020

Quoted in "How Will COVID-19 Affect the Supreme Court's Next Gun Case?" THE TRACE, April 16, 2020

Quoted in Jerry Lambe, "'Like Justice Scalia, But Without the Wit': Trump-Appointed Judge, 41, Criticized for Trollish Bump Stock Opinion," LAW & CRIME, April 1, 2020

Quoted in Champe Barton, "New Jersey Suspends Gun Background Checks, Halting Sales During Coronavirus Crisis," THE TRACE, March 30, 2020

Quoted in Asher Stockler, "California Is Latest State to Be Hit With Lawsuit Over COVID-19 Gun Restrictions," NEWSWEEK, March 28, 2020

Quoted in Asher Stockler, "States' Actions on Guns During Coronavirus Pandemic Raises Second Amendment Questions, Attorneys Say," NEWSWEEK, March 27, 2020

Quoted in Lisa Dunn, "Are Gun Shops An Essential Business? Depends Where You Live," WAMU, March 26, 2020

Quoted in Graham Moomaw, "Would Virginia's red flag law withstand constitutional scrutiny? In other states, similar laws already have." VIRGINIA MERCURY, February 5, 2020

Quoted in Champe Barton, "A Guide to the Gun Industry's Unique Legal Protections," THE TRACE, January 27, 2020

Interviewed for "Red flag laws – do they help stop gun violence, and can they be abused?" STARS & STRIPES PODCAST, January 23, 2020

Interviewed for "Kansas City to Sue Gun Maker Over Rising Violent Crime Cases," NPR MORNING EDITION, January 9, 2020

Quoted in Brian Johnson, "Supreme Court Hears First Guns Rights Case in Nearly a Decade," MEDILL NEWS SERVICE (NORTHWESTERN UNIVERSITY), December 3, 2019

Interviewed for Colorado Edition: To Ban Or Not To Ban? KUNC, November 13, 2019

Interviewed for First News with Jimmy Cefalo: SCOTUS rules Sandy Hook Families can sue gunmaker, WIOD MIAMI NEWS RADIO, November 13, 2019

Quoted in Nico Court, "Panel discusses how to curb gun violence in Durham," DUKE CHRONICLE, November 11, 2019

Quoted in Ariane de Vogue, "Supreme Court may be focus of gun control arguments with Congress deadlocked," CNN, September 30, 2019

Quoted in Jesse Hirsch, "In the last week, 38 (and counting) retail chains have adopted new policies to keep guns out of their stores," THE NEW FOOD ECONOMY, September 12, 2019

Interviewed for Colorado Edition: Second Chances, KUNC, September 4, 2019

Quoted in Matt Cohen, "Gun Violence Costs Americans Billions Every Year. A California Mayor Has a Plan to Make Gun Owners Pay for It," MOTHER JONES, August 26, 2019

Quoted in Tom Kertscher, "Federal law's 'boyfriend loophole' is not so simple," POLITIFACT, August 22, 2019

Quoted in Steve Pokin and Gregory J. Holman, "Public, experts react to Walmart incident — and wonder if it was a crime," SPRINGFIELD NEWS-LEADER, August 8, 2019

Quoted in Jim Beckerman, "What is the Second Amendment? It's all about the comma," NORTH JERSEY RECORD, August 6, 2019

Consulted for Jon Greenberg, "Barack Obama wrong on limits of US gun laws, machine gun sales," POLITIFACT, June 4, 2019

Quoted in Yasmeen Khan, "NYC Potentially 'Dodging A Bullet' In Supreme Court By Easing Strict Handgun Laws," GOTHAMIST (WNYC), May 30, 2019

Quoted in Asher Stockler, "Cory Booker's Gun Control Plan Is Ambitious, But Is It Constitutional?," NEWSWEEK, May 8, 2019

BAR ADMISSIONS AND PROFESSIONAL ACTIVITIES

North Carolina, 2017-present
California, 2013-present (inactive)
District of Columbia, 2014-present
U.S. Court of Appeals for the Fourth Circuit
Eastern District of North Carolina
Middle District of North Carolina
Western District of North Carolina

North Carolina Bar Association, Appellate Rules Committee, 2017-2018