

ELISE C. BODDIE
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SUMMARY

Elise C. Boddie is a dynamic, nationally recognized, and award-winning legal scholar. She is a Professor of Law, Henry Rutgers Professor, and Robert L. Carter Scholar. Boddie is also the founding Newark Director of Rutgers University's Institute for the Study of Global Racial Justice (ISGRJ), which at the time of its launch was described by a senior university official as "one of the most far-reaching intellectual and institutional projects Rutgers has undertaken."

Boddie's scholarship explores the regulation and production of race in spatial contexts and dynamic systems that sustain and perpetuate racial inequality. Her work cuts across diverse disciplines and practices of scholarship, teaching, community, and service and is widely cited and discussed in academic and non-academic circles. She has published in leading law reviews and multiple national media outlets, including The New York Times and the Washington Post. Boddie has significant experience in organizational leadership, having served as Director of Litigation for the NAACP Legal Defense & Educational Fund, Inc., and through her service and leadership on the national board of the American Constitution Society, the board of the New Jersey Institute for Social Justice, and as a founding board member of the New Jersey Coalition for Diverse & Inclusive Schools. As the founder and director of The Inclusion Project at Rutgers Law School, Boddie has led students, faith leaders, educators, researchers, and community-based constituencies in a multisector initiative to challenge school segregation in New Jersey. Boddie was elected to the American Law Institute in 2017 and as an American Bar Foundation Fellow in 2019. In 2021, President Biden appointed her to the Presidential Commission on the United States Supreme Court.

EDUCATION

Harvard Law School, J.D. 1996, *cum laude*
Kennedy School of Government, Harvard University, Masters of Public Policy, 1996
Yale College, B.A. in Economics/Political Science, 1990, *cum laude*

JUDICIAL CLERKSHIPS

HONORABLE ROBERT L. CARTER, Southern District of New York 1996-1997
Law Clerk. Drafted opinions, endorsements, and jury instructions

TEACHING & FELLOWSHIP EXPERIENCE

The Institute for the Study of Global Racial Justice at Rutgers University Dec 2020-present
Founding Newark Director of a university-wide, three-campus initiative to deepen understanding of systemic racism nationally and internationally through humanities-based research and scholarship, the arts, and public engagement.

Henry Rutgers Professor, Professor of Law & Judge Robert L. Carter Scholar, Rutgers Law School Signature courses: constitutional law (first year and upper-level course), civil rights, and state & local government law (seminar)	July 1, 2016-present
Associate Professor, Rutgers Law School (Newark)	Aug 2013-June 2016
Associate Professor , New York Law School Taught constitutional law as a large lecture course (120 students), a seminar on state & local government law and land use regulation <ul style="list-style-type: none"> ● Active contributor to the Racial Justice Project (RJP) ● Lead author of an amicus brief filed in <i>Ash (Hithon) v. Tyson Foods</i>, 664 F.3d 883 (11th Cir. 2011), on behalf of eleven legendary civil rights leaders, <i>available at</i> www.naacpldf.org/files/case_issue/HithonBrief.pdf (I was asked to draft the brief by the NAACP LDF while I was teaching at New York Law School.) The brief was the subject of a New York Times commentary by Adam Liptak, “Rare But Grudging About-Face in Bias Case,” Dec. 26, 2011 ● Counsel of record and lead author, amicus brief filed by the New York Law School Racial Justice Project in the Supreme Court case <i>Ricci v. DeStefano</i>, 2009 WL 815208, March 25, 2009 ● Took leave from NYLS to return to the NAACP LDF, at the invitation of then-LDF President John Payton (see “Professional Legal Experience”) July 2011-May 2013 	Aug 2008-Spring 2011
Visiting Assistant Professor , Fordham Law School Taught constitutional law (Fall 2006) and state & local government law seminar (Spring 2007). (I did not teach during the Fall 2007 because I was on the market.)	Aug 2006-Spring 2008
Research Fellow , Fordham Law School Researched critical legal geography and race	Jan-June 2006

AWARDS & RECOGNITION

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| ● Recipient of the Whitney M. Young Jr. Award
from the Urban League of Essex County | Feb 2020 |
| ● Elected Fellow of the American Bar Foundation | July 2019 |
| ● Selected by graduating students to be faculty speaker for Rutgers Law
(Newark) graduation | May 2019 |
| ● Elected member of the American Law Institute | July 2017 |
| ● Appointed a Henry Rutgers Professor by Rutgers University President
Robert Barchi, in recognition of “high-quality scholarship, teaching,
and service” | June 8, 2016 |

- Recipient of Association of Black Law Students and partnering organizations' "Dream Professor" Award (Rutgers Law-Newark) Feb 2014
- Law & Society Association's John Hope Franklin Award for Exceptional Scholarship (for *Racial Territoriality*) June 2012

LEGAL SCHOLARSHIP: ARTICLES AND ESSAYS

Racially Territorial Policing in Black Neighborhoods 89(2), University of Chicago Law Review 477 (2022) (listed on SSRN's Top Ten download list for Law & Society: Criminal Procedure eJournal)

Ordinariness as Equality, 93 Indiana Law Journal 57 (2018)

The Contested Role of Time in Equal Protection, 117 Columbia Law Review 1825 (2017)

The Constitutionality of Racially Integrative Purpose, 38 Cardozo Law Review 531 (2016)

The Future of Affirmative Action, Harvard Law Review Forum, Nov. 10, 2016, available at <http://harvardlawreview.org/2016/11/the-future-of-affirmative-action/s> (invited response)

Adaptive Discrimination, 94 North Carolina Law Review 1235 (2016) (reprinted in Vol 32 of the Civil Rights Litigation and Attorneys Fees Annual Handbook)

The Indignities of Colorblindness, UCLA Law Review Discourse (2016)

The Sins of Innocence in Standing Doctrine, 68 Vanderbilt Law Review 297 (2015)

Critical Mass & and the Paradox of Colorblind Individualism in Equal Protection, 17 University of Pennsylvania Journal of Constitutional Law 781 (2015)

The Way Forward: Racial Integration After Ricci, A Response to Michelle Adams, 96 Iowa Law Review Bulletin (2011)

Racial Territoriality, 58 UCLA Law Review 401 (2010) (2012 winner of Law and Society Association's John Hope Franklin Prize for "exceptional scholarship in the field of race, racism, and the law") (cited by dissent in *May v. Spokane County*, 481 P.3d 1098 (2020))

Opportunity Hoarding in Diverse and Non-Diverse School Districts (with Dr. Allison Roda (lead author) and Dr. Ryan Coughlan) (discussing results of research on parental attitudes toward school choice to promote integration)

BOOK CHAPTERS

The Muddled Distinction Between De Jure and De Facto Segregation, The Oxford Handbook of U.S. Education Law (Oxford University Press) (2021)

Palmer v. Thompson in Critical Race Judgments: Rewritten U.S. Court Opinions on Race and Law (book chapter) (Cambridge University Press) (April 2022)

LEGAL SCHOLARSHIP: WORKS-IN-PROGRESS

Racial Territoriality (book project)

How Should Law Respond to Chronic Racial Discrimination? (book project)

Equal Protection Outside the Courts

The Unequal Equal Protection Clause

PUBLICLY-ENGAGED SCHOLARSHIP

Report, Snapshots of COVID-19: Structural Inequity & Access to Justice (with Susan Feathers (Assistant Dean for Public Interest and Pro Bono) & Dina Nehme (Ph.D. Candidate at RU-N Division of Global Affairs) & Rutgers Law students July 2020

SCHOLARLY PRESENTATIONS, LECTURES, AND PANELS

Presentations at International Conferences

- Invited U.S. Panelist, “Truth and Reconciliation in Education: History, Narratives, and Pedagogy,” Open Plenary at Annual Meeting, American Education Research Association, Toronto, Canada, April 5, 2019
- Invited Panelist, “Civil Rights and Education in a Post-Truth Era,” American Education Research Association, Annual Meeting, Presidential Session, Toronto, Canada, April 7, 2019
- “Reflections on Social Justice, Democracy, and the Rule of Law,” one of two U.S. commentators invited to participate on a plenary panel about social justice, democracy, and ethics at the International Legal Ethics Conference, Melbourne Law School, Melbourne, Australia, Dec. 7, 2018
- “Can Systems Analysis Improve Enforcement Against Racial Discrimination,” Panel, Rethinking Equality Law Regimes, Law & Society Conference, Mexico City, Mexico, June 21, 2017

Presentations at U.S. Conferences

- *Racially Territorial Policing in Black Neighborhoods*, “This Violent City? Rhetoric, Realities, and the Perils and Promise of Reform, University of Chicago Law Review Symposium, May 7, 2021 (solicited contribution)
- Panelist, The Arrival of *Washington v. Davis* and *Bakke*: A Judicial Demand for Proof of “Invidious Intent” & The Ironic Cry from Whites for Equal Protection (1976-2014), University of North Carolina Law School, Feb. 18, 2021
- Geographies of Justice: The Hidden Stories of Race, Law, and the Search for Ordinariness in Everyday Spaces, University of Miami School of Law, November 30, 2020 (Legal Theory Workshop)
- Panelist, “Answering the Call: The Social Justice Life of the Honorable Nathaniel Jones,” symposium of the University of Cincinnati Law Review, Nov. 5, 2020
- “Struggling for the Soul of Public Education,” The Othering & Belonging Institute, University of California at Berkeley, The Haas Institute, “Research to Impact” Series, March 6, 2020, <https://belonging.berkeley.edu/video-elise-c-boddie-struggle-soul-public-education>
- “Litigating Voting Rights Remedies in the Trump Era,” AALS Conference, Washington, D.C., January 4, 2020
- The Hidden Stories of Race, Law, and the Search for Ordinariness in Everyday Spaces (book project), Faculty Workshop, University of Connecticut Law School, October 30, 2019
- “Pop-Up” Presentation for the Rutgers-Newark chapter of the American Constitution Society on the U.S. House of Representatives impeachment inquiry and investigation of President Trump, October 8, 2019
- “Racial Territoriality: The Hidden Stories of Race, Law, and the Search for Ordinariness in Everyday Spaces,” Invited Lecture, Marshall M. Criser Distinguished Lecture Series, University of Florida Law School, April 15, 2019
- A Conversation with Nadine Strossen (about her book), “Hate: Why We Should Resist It With Free Speech, Not Censorship?” Rutgers Law School, April 1, 2019
- Commentary on Martha Jones, Birthright Citizens (with Martha Jones), organized by the Rutgers Center on Immigration, Law, Policy & Justice in association with the Association of Black Law Students, Feb. 6, 2019, <http://marthasjones.com/2019/02/08/at-rutgers-law-newark-birthright-citizens-with-martha-jones-and-elise-boddie/>
- Panelist, *Masterpiece Cakeshop v. Colorado Civil Rights Commission: A New License to Discriminate?*, Center for American Progress, Washington, D.C., Nov. 16, 2017
- Keynote, “The Structures of Injustice in Legal Education (And Some Thoughts on How to Subvert Them),” Democratizing Knowledge Institute, Rutgers University, June 16, 2017

- Fordham Law School Faculty Workshop, The Contested Role of Time in School Segregation, April 5, 2017
- American Constitution Society & NAACP LDF Supreme Court Litigation Convening, Washington D.C, January 26 & 27, 2017
- Panelist, The Chancellor’s Conference: The New Professoriate: Tenure, Diversity, and Engagement, Rutgers University, Oct. 28, 2016
- Constitution Day Speaker, “School Segregation,” Monmouth University (co-presenters: Deborah Poritz, former Chief Justice of the New Jersey Supreme Court; and Rutgers Law Professor Paul Tractenberg), September 20, 2016
- Panelist, “The Constitution’s Obligations,” American Constitution Society Conference, Washington, D.C., June 21, 2016
- Open Book/Open Mind Series, Montclair Public Library, in conversation with Brennan Center president Michael Waldman, on The Fight to Vote, May 22, 2016
- Represented the American Constitution Society in a debate against the Federalist Society on the question “Does the University of Texas’s Use of Racial Preferences in Undergraduate Admissions Violate the Constitution?” National Constitution Center Town Hall Debate at George Bush Library, Dallas, Texas, May 5, 2016 (declared the winner by audience vote)
- Invited Presentation on school segregation in New Jersey (co-presenters: Deborah Poritz, former Chief Justice of the NJ Supreme Court; and Rutgers Law Professor Paul Tractenberg (retired)), sponsored by the NJ Supreme Court Committee on Minority Concerns, March 16, 2016
- Invited presentation on civil rights, Annual Judicial Conference, Association of the Federal Bar of New Jersey, March 10, 2016
- Invited Presentation, *The Possibilities of Interdistrict Choice in Essex County Public Schools?*, CLiME Fellowship on Equity and Opportunity Workshop, Dec. 4, 2015
- Invited Presentation, *The Anomaly of School Segregation in New Jersey in the Twenty-First Century*, New Jersey State Judges Judicial College, Nov. 23, 2015 (co-presenters: Deborah Poritz, former Chief Justice of the New Jersey Supreme Court; and Rutgers Law Professor Paul Tractenberg)
- Symposium Presentation, *The “Goldilocks” Problem: When Too Little Race Is Too Much*, “The Roberts Court—The First Ten Years,” Cardozo Law School, Oct. 15, 2015
- Moderator, “Women and the Economy,” at “Rutgers Celebrates Beijing +20: Gender Equality on the 20th Anniversary of the United Nations Fourth World Conference on Women (Beijing, 1995),” Sept. 25, 2015

- Teleconference Address, “What’s Next” for the 2015-2016 Supreme Court Term, American Constitution Society (for national members and donors), Sept. 17, 2015
- Panelist, Opening Plenary, “Beyond Ferguson: A Nation’s Struggle with Race and Criminal Justice,” 2015 American Constitution Society National Convention, Washington, D.C., June 12, 2015
- Scholars’ Roundtable (invitation-only), *Bakke’s Harms* (essay submission), sponsored by the American Constitution Society, Georgetown Law School, June 11, 2015
- Moderator, “A Conversation with Lani Guinier on the Tyranny of the Meritocracy,” Montclair Public Library, Montclair, NJ, June 3, 2015
- Presentation, *Critical Mass and Intra-Racial Diversity*, Critical Race Studies Workshop on *Fisher v. University of Texas*, UCLA Law School, March 19, 2015 (by invitation only)
- Panelist, “Brown v. Board of Education: Why Does Brown Matter? What Difference Does It Make?” Roosevelt House, New York, NY, Dec. 10, 2014
- Presentation, *Schools Without Borders*, Lutie Lytle Writing Conference, University of Wisconsin Law School, June 2014
- Presentation, *Schools Without Borders*, New York Area Scholarship Group, June 6, 2014
- Scholar-in-residence, “Equal Justice: America’s Civil Rights Struggle,” Springfield NJ Public Library (civil rights lectures), May 5 and May 14, 2014
- Presentation, *Schools Without Borders*, St. John’s Law School Faculty Colloquium, Mar. 31, 2014
- Presentation, *The “Right” to Place?*, Comments on David Rusk’s *Measuring Regional Equity*, The Center on Law in Metropolitan Equity Conference, Rutgers Law-Newark, Feb. 21, 2014
- Presentation, *Schools Without Borders*, “Educational Equality and the Constitution in the Twenty-First Century,” University of Pennsylvania Journal of Constitutional Law Symposium, Jan. 24, 2014
- Panelist, “Righting Wrongs in the Context of Superdiversity: The Possibilities and Limitations of Law,” Inaugural Conference of the New Institute for American Cultures, UCLA, Mar. 1, 2013
- Presentation, “*Group Lawyering in the Shadow of Law*,” Fordham Law School Symposium, “Lawyering for Groups: Civil Rights, Mass Torts, and Everything in Between,” New York, NY, Nov. 30, 2012
- Keynote, Stanford Law School, Symposium: “Civil Rights and the Roberts Court,” Palo Alto, CA, Oct. 27, 2012
- Panelist, Panel on *Fisher v. University of Texas*, Georgetown Law School, Washington, D.C.,

Oct. 11, 2012

- Panelist, Supreme Court Preview, American Constitution Society, Washington, D.C., September 2012
- Panelist, Closing Plenary, “The Resegregation of America: Race and the Roberts Court,” American Constitution Society, Washington, D.C. June 2012
- Panelist, ABA Teleconference on Disparate Impact, May 2012
- Panelist, Cardozo Law School, “Conversations on the Constitution: *Fisher v. University of Texas*,” New York, NY, March 2012
- Panelist, “Litigating Class Actions After Walmart” and “Supreme Court Preview,” NAACP LDF’s Annual Airlie Civil Rights Training Conference that convenes civil rights lawyers from around the country, Warrenton, VA, October 2011
- Invited Participant, *Plessy’s Ghost, Separate and (Un)Equal: The Problem of Residence Requirements* (essay submission), “The Constitution in 2020” (roundtable discussion sponsored by the American Constitution Society), George Washington University Law School, Washington, D.C., June 2011
- “The Future of Disparate Impact,” NAACP LDF Airlie Conference, Warrenton, VA, Oct. 2010
- *Neighborhood Discrimination*, National People of Color Conference, Seton Hall Law School, Newark, NJ Sept. 2010
- Invited Presentation, *Racial Territoriality*, Colloquium on Advanced Critical Race Studies, UCLA, Feb. 17, 2010

COMMUNITY PRESENTATIONS, LECTURES & SPONSORED EVENTS

- “The Life & Times of Dr. Vance H. Marchbanks, Jr.,” (Part I) & Challenging School Segregation in New Jersey (Part II), Juneteenth Presentation (virtual) to Blue Origin (500+ attendees), June 15, 2022
- Orchestrated and conceptualized (virtual) Statewide Education Conference: “Re-envisioning the Future of Educational Equity in New Jersey” (held June 11, 2022)
- Respondent, Education Law Center’s annual Education Justice Lecture (virtual) (500+ attendees), June 8, 2022
- Interviewed on “Faces & Voices” by Rutgers University President Holloway, May 2022
- Presentation on school segregation, NJ Legislative Joint Committee on Public Schools, May 6, 2022

- Convened rally in Trenton, NJ to support *Latino Action Network et al. v. State of NJ et al.*, the case challenging school segregation in NJ. Featured a diverse group of speakers from social justice, faith-based organizations, and high school students. Widely covered by state and regional press. (see a sample of press coverage here <https://whyy.org/articles/our-children-deserve-better-supporters-rally-for-desegregation-of-n-j-schools/> & <https://www.nbcphiladelphia.com/news/local/groups-rally-in-support-of-lawsuit-accusing-nj-schools-of-segregation/3194493/>; <https://www.njspotlightnews.org/2022/04/rally-desegregation-nj-high-schools-segregation-superior-court/>); <https://gothamist.com/news/nj-nonprofit-coalition-ramps-up-pressure-in-school-segregation-suit>, March 31, 2022
- “The Material, Social, and Spiritual Harms of Segregation in Public Schools,” sponsored by the Religious Action Center Reform Judaism, March 10, 2022
- Presenter, “School Segregation in New Jersey: How We Got Here, Why It Matters, What We Can Do,” May 17, 2022, Fund for New Jersey’s “Imagine More” Series
- Discussant, “The State of Black Women and Girls,” Congressional Black Caucus Annual Legislative Conference (invited by Congresswoman Bonnie Watson Coleman), Fall 2021
- “Why We Should Care About Segregation in Public Education,” presentation to AAUW-Northern Monmouth County, Oct. 18, 2021
- Invited speaker, Prof. Genevieve Siegel-Hawley’s Ed Leadership Policy and Justice class for doctoral candidates, Nov. 16, 2021
- “Brown v. Board of Education: Its Impact on Today’s Educational System and Thoughts About How to Move Forward,” New Jersey Association of Black Educators, May 22, 2021
- Keynote, “Democracy, Racial Integration, and Public Education,” NJ League of Women Voters, May 21, 2021
- “Defending Democracy Through Public Education,” Not In Our Town Princeton, May 13, 2021 (sponsored by 23 multi-faith, multi-racial community organizations)
- Remarks, Celebrating the 75th Anniversary of the NJ Law Against Discrimination, April 25, 2021
- Moderator, “Creating Change,” New Jersey Performing Arts Center, April 22, 2021
- “Historical & Legal Context: Why Are New Jersey Schools So Segregated?,” Abbott Leadership Institute, April 17, 2021
- “Tomorrow Is Too Late! Passing the Torch: Building Our Legacy,” (virtual town hall with high school students from across New Jersey), sponsored by The Inclusion Project, Salvation & Social Justice, and the Latino Action Network, April 8, 2021
- “All About Housing,” with Reverend Eric Dobson (Fair Share Housing), March 25, 2021

- “In Full View of Race,” Featured on Integrated Schools podcast, March 17, 2021
- Invited testimony before Minnesota House of Representatives’ Education Policy Committee in opposition to proposed amendment to Minnesota Constitution to eliminate its Education Clause, March 8, 2021
- Lightning Talk, “Segregation as a System,” Activists x Academics Conference, Teens Take Charge, Feb. 13, 2021
- From “Protest to Policy” with NJ Citizen Action and Fair Share Housing, July 9, 2020
- Co-moderator (with Newark City Historian Junius Williams), “From Protest to Power: The Making of Newark’s First Black Mayor” (zoom webinar with over 1,000 registered participants featuring veteran activists, youth activists, and scholars and Reverend Jesse Jackson June 16, 2020)
- Panelist, “In These Times...No Justice, No Peace!” LaRuelist Café to discuss school segregation, May 27, 2020
- Convened student symposium on school segregation, Rutgers University-Newark, Feb. 13, 2020 (hosted approximately 300 high school students and teachers from 20 schools, six districts, and four counties across NJ for a day-long symposium on school segregation during which students explored the causes of school segregation and how to fix it)
- Moderator, Film Screening and Discussion (sponsored by the Fair Housing Justice Center), “Testing the Divide,” Hunter College, NY, NY, Jan. 15, 2020
- “Historical & Legal Context for Integration in NJ,” South Orange Maplewood School District, Intentional Integration Initiative (before an audience of 1,000), Jan 8, 2020
- Co-commentator, “On The Basis of Sex” before an audience of 1,000 public school students from Newark and surrounding school districts, the New Jersey Performing Arts Center (sponsored by the Arts Education program), November 4, 2019
- Panelist (discussing school segregation), The 1619 Project: The Role of Slavery in America—and New Jersey, New Jersey Performing Arts Center, November 2, 2019
- Presenter, “Community Think Tanks” about school segregation in New Jersey, Bethany Baptist Church in Newark, and Bethel AME in Paterson, NJ (with Salvation & Social Justice and the Latino Action Network), August 9 & August 15, 2019
- Presenter, “Diversity & Inclusion in NJ Public Schools,” New Jersey Network of Superintendents, June 14, 2019
- Panelist, “Modern Day School Segregation in New Jersey,” New Jersey State Bar Association Annual Conference, Atlantic City, NJ, May 16, 2019

- Conceptualized and Co-Facilitated, “Community Conversations Workshop Series Parts I & II,” which discussed the following question: “What are the best policies and practices for promoting opportunity in urban schools in a context of racial integration and controlled choice?” May 4, 2019 and June 8, 2019
- Panelist, Building One America, Civil Rights Summit, Rutgers University Labor Education Center, May 3, 2019
- Testified before NJ Joint Committee on Public Schools regarding school segregation, March 19, 2019 (testimony available here <http://theinclusionproject.rutgers.edu/focus/activities/>)
- “Why We Need Racial Integration in Public Schools,” Anti-Poverty Network Conference, November 28, 2018
- “Why We Need Racial Integration in Public Schools: Experts Examine Five Hot-Button Issues,” The Institute of New Dimensions, Central Unitarian Church, Paramus, NJ (with Ryan P. Haygood), November 13, 2018
- “Does Racial Integration in Public Schools Matter?” Education Reform, Communities & Social Justice: Exploring the Intersections, Bloustein School of Planning & Public Policy, May 18, 2018
- Co-Moderator, “A Conversation on Social Justice with New Jersey’s Gubernatorial Candidates” (with nine Democratic, Republican, and Green party candidates before an audience of over 600 at the New Jersey Performing Arts Center), Newark, NJ, May 1, 2017
- Panelist, The NYC High School Application Process I: Examining Educational Access and Equity, Nov. 1, 2016
- Moderator, “‘We Shall Always March Ahead,’ The Road Forward in Pursuit of Equality,” Remembering the Dream, Renewing the Dream Conference, Sept. 13, 2013
- Panelist, Summer Social Justice Series, “Balancing Litigation, Legislation, and Efforts to Move Public Opinion in the Pursuit of Social Change,” New Jersey Institute for Social Justice, July 16, 2013

SELECTED COMMENTARY

- Guest Columnist, NJ Star Ledger, “The year of Covid: The vulnerability of being Black or brown,” NJ.com, March 10, 2021 (solicited commentary)
- “Hank Aaron and the Hill,” Rutgers University Today, Feb 4, 2021
- “Five Myths About School Segregation,” The Washington Post, Oct. 30, 2020 (solicited commentary)
- “If the 2020 Candidates Talk About Reparations, They Must Also Talk About Segregation,”

Salon, September 24, 2019

- “Kamala Harris Has a Brilliant Idea on Abortion,” The New York Times, June 6, 2019 (400,000 page views; op-ed published in NYT print edition, June 7, 2019)
- “Race is Challenging, But Liberals Shouldn’t Ignore It,” North Jersey Record, Feb. 22, 2019
- “On Executive Power, Bigotry, and Borders,” Take Care Blog, July 3, 2018
- “Linda Brown and the Unfinished Work of School Integration,” The New York Times, March 30, 2018 (with Dennis D. Parker) (cited in Keath Meatto, “Still Separate, Still Unequal: Teaching about School Segregation and Educational Inequality,” May 2, 2019)
- “Philando Castile and the Terror of an Ordinary Day,” The New York Times, June 20, 2017 (noted in “5 Important Stories You May Have Missed,” PBS NewsHour Online, June 27, 2017, <https://www.pbs.org/newshour/nation/5-important-stories-may-missed>; discussed on National Public Radio’s “The Takeaway”)
- “The Extraordinary Injustice at the Heart of *Buck v. Davis*,” American Constitution Society Blog, Oct. 7, 2016
- “*Fisher II*: The Beneficial Purposes of Race,” SCOTUSblog, June 24, 2016
- “Fulfilling Martin Luther King, Jr.’s Dream: the Role for Higher Education,” The Conversation, (with co-authors Roland Anglin, Rutgers-Newark Chancellor Nancy Cantor, Peter Englot, and David Troutt), Jan. 18, 2016
- “Why Supreme Court Justices Should Celebrate College Diversity, Not Reject It,” The New York Times, Dec. 8, 2015, http://www.nytimes.com/2015/12/08/opinion/justices-dont-reject-college-diversity-celebrate-it.html?_r=0.
- “Shoe Stories: Civil Rights and the Inequality of Place,” (part of a collection of essays solicited by the Impact Center at New York Law School, Vol. 126 (Summer 2015)
- “The Arc of the Moral Universe,” <http://www.acslaw.org/acsblog/the-arc-of-the-moral-universe>, Jan. 19, 2015
- “Schuette v. BAMN: How the Court Undermined Racial Liberty in the Democratic Process,” http://www.huffingtonpost.com/elise-boddie/schuette-v-bamn-how-the-c_b_5241317.html, Huffington Post, April 30, 2014
- Commentary on *Fisher: In with a bang, out with a fizzle*, SCOTUSBlog, <http://www.scotusblog.com/2013/06/february-24-2013/fisher-v-university-of-texas-in-with-a-bang-out-with-a-fizzle/>, June 24, 2013
- Commentary on *Fisher: The Importance of Diversity Within Diversity*, SCOTUSBlog, <http://www.scotusblog.com/2012/10/commentary-on-fisher-the-importance-of-diversity-within->

diversity/, Oct. 11, 2012

- Sunday Dialogue, New York Times, Using Race in Admissions, Letters to the Editor, Oct. 6, 2012
- “Threatening Brown’s Promise: Supreme Court Cases from Seattle and Louisville Could Undermine Local School Districts’ Voluntary Efforts to Combat Segregation,” guest blogger for the American Constitution Society’s online Supreme Court preview at www.acsblog.org (with Anurima Bhargava), September 26, 2007
- “An Insidious Attack on Affirmative Action,” Chronicle of Higher Education, Point of View, July 1, 2005
- “Colorblind in One Eye: The Selective Colorblindness of the Bush Approach to Affirmative Action,” Slate, Jan. 30, 2003

INSTITUTIONAL SERVICE & CONTRIBUTIONS TO RUTGERS UNIVERSITY

- Founding Director, Institute for the Study of Global Racial Justice (ISGRJ), Oct. 2020-present Rutgers-Newark (RU-N) Campus
 - Worked with ISGRJ Executive Director to facilitate creation of path-breaking, humanities-based, multi-disciplinary university Institute on RU-N campus
 - Manage Rutgers-Newark arm of ISGRJ through collaborations with Newark Chancellor’s office, departmental Deans, and senior faculty
 - Successfully recruited prominent senior scholars to serve as Senior Faculty Fellows
 - Provide grants to RU-N humanities-based scholars to support research and events
 - Mentor ISGRJ post-doctoral associates
 - Conceptualized and implemented “Conversations & Connections” series, which convenes interdisciplinary groups of RU-N faculty to discuss and receive feedback on their research and scholarship
- Chair, Minority Student Program Faculty Committee Fall 2020
- Member, Minority Student Program Faculty Committee Fall 2019-Spring 2020, Spring 2022
- Member, Co-Dean’s Search Committee, Rutgers Law School July 2017-March 2018
- Conceptualized and developed public lecture series on “Justice, Activism, and Belonging” (“JABs”) at Rutgers University. Lectures by individual faculty members focused on controversies over confederate statues; implicit bias; human rights and the financial crisis in Puerto Rico; excessive policing and alternatives to incarceration; and the intersection of reproductive justice, LGBTQ rights, and racial justice Fall 2018-Spring 2019
- Founder and Director, The Inclusion Project (TIP) April 2017-present

TIP is a multidisciplinary project that strives to generate collective impact through collaboration with community groups and organizational change agents. It partners with scholars whose work expands public understanding of the dimensions and dynamics of racial exclusion and explores strategies for building a more racially inclusive society. (See below for further description)

- Chair, Hiring Committee, Rutgers Law School. Fall 2016-Spring 2017
Led a successful search to hire laterals with demonstrated scholarly impact and professional experience in social justice; search resulted in over ninety applicants and the hiring of three nationally recognized law faculty
- Member, Rutgers University-Newark Chancellor's Commission on Diversity & Transformation Jan 2016-May 2017
- Chancellor's Seed Grant Recipient. Awarded \$49,000 seed grant by Rutgers University-Newark Chancellor's Office to develop a model interdistrict controlled choice program that would promote racial and socioeconomic integration in public schools in Essex County, New Jersey. Led an IRB-approved interdisciplinary research project team of law students, a graduate student, two post-doctorates, and state and national education advocates. This work culminated in a study and a paper, "Parents' Conflicted Beliefs About the Importance of School Diversity, Segregation, and High-quality Education in Suburban New Jersey" (lead author, Dr. Allison Roda) 2015-2016

THE INCLUSION PROJECT AT RUTGERS LAW SCHOOL

<https://theinclusionproject.rutgers.edu/>

Created in 2017, The Inclusion Project (TIP) is an interdisciplinary project that strives to generate collective impact through collaboration with researchers, community groups, students, and organizational change agents (including civic, social, and faith-based organizations) with an emphasis on advancing educational equity in New Jersey public schools. TIP operates on the premise that dislodging deeply rooted racial systems requires dynamic, comparably matched systemic responses. Since its inception, TIP has sponsored and participated in numerous events, lectures, and other community-centered activities. TIP hires law students and graduate students as research fellows.

- On June 11, 2022, TIP hosted a statewide conference on educational equity, in partnership with the Joseph C. Cornwall Center for Metropolitan Studies at Rutgers-Newark ("the Cornwall Center"), in collaboration with several community-centered organizations.
- In March 2022, TIP convened a rally—widely covered by state and regional press—to support a case challenging severe school segregation in NJ. Under the leadership of TIP's Director for Youth & Community Engagement, TIP also convened high school and college students for a six-week program on educational equity.
- In February 2020, TIP hosted approximately 300 high school students from twenty public high schools and charter schools located in six school districts across four counties in New Jersey for a daylong discussion of school segregation and how to fix it.
- TIP partnered with researchers at the Cornwall Center to explore methods for building equity in urban school systems. The research culminated in a daylong event, "Community Conversations," in which the Cornwall team presented their findings to Newark community residents.

- In May & June 2019, TIP partnered with faith leaders for daylong discussions with community residents about school segregation at churches in Newark and Paterson, NJ.
- TIP worked with the leadership of NJ's Black Legislative Caucus to propose legislation that required the collection of racial data about Covid-19 in local communities. TIP also proposed the creation of a statewide Chief Racial Equity Officer to facilitate recovery in areas of New Jersey most ravaged by Covid-19.
- In 2018, TIP held a public lecture at Rutgers Law School: "A Legal and Political Strategy for Achieving Integration and Equality in New Jersey's Schools and Neighborhoods," featuring Professor Myron Orfield, Director of the Institute on Metropolitan Opportunity at the University of Minnesota Law School.

PROFESSIONAL LEGAL EXPERIENCE

NAACP LEGAL DEFENSE & EDUCATIONAL FUND, INC., New York, NY

Director of Litigation/Deputy Director of Litigation Aug 2011-June 2013

At the invitation of then-LDF President John Payton, I took a leave from teaching in August 2011 to become LDF's Director of Litigation. (During a six-month interim period, I served as Deputy Director of Litigation.) In this principal leadership position, I oversaw the national legal program and core aspects of LDF's operations. I played a crucial role in stabilizing LDF when Mr. Payton unexpectedly passed away in March 2012. I supervised the legal staff's litigation in federal trial and appellate courts, including amicus curiae matters in significant cases before the U.S. Supreme Court. (See below for a list of accomplishments.) I was the core decision-maker for strategic litigation decisions, appellate recommendations, case development priorities, case approval, budget recommendations, and partnerships with co-counsel. I had final authority over appellate filings, pleadings, and briefs. I represented LDF in meetings with the U.S. Solicitor General, the U.S. Attorney General, and the Assistant Attorney General for Civil Rights. I supported LDF's fundraising efforts during this period, engaged in extensive public speaking, and was central to organizational management.

Associate Director of Litigation Aug 2004-Dec 2005

Assisted the Director of Litigation in overseeing LDF's legal program while remaining actively engaged in education litigation and advocacy. Counseled colleges and universities and other non-profit organizations on how to develop and preserve legally-compliant affirmative action programs.

Director of Education June 2003-Aug 2004

Directed strategic planning process for LDF's education agenda. Supervised LDF's education staff. Maintained active docket of desegregation cases. Lectured frequently on education and racial justice issues. Convened and facilitated a two-day conference on affirmative action in higher education with university general counsels, law school professors, and administrators. Provided media commentary on and analysis of LDF's educational work for national print and television outlets.

Staff Attorney Oct. 1999-June 2003

Extensive federal court litigation experience involving affirmative action in higher education, employment discrimination, school desegregation, and economic justice cases at the federal district and appellate levels. Argued cases in Eighth and Eleventh Circuit Courts of Appeal.

FRIED, FRANK, HARRIS, SHRIVER & JACOBSON, New York, NY

1997-1999

The first recipient of Fried Frank/NAACP LDF fellowship. Litigated breach of contract, antitrust, and intellectual property matters. Assisted in successful political asylum application of Nigerian dissident. Recipient of pro bono recognition awards in 1998 and 1999.

SELECTED HIGHLIGHTS & ACCOMPLISHMENTS DURING 2011-2013 TEACHING LEAVE (FROM NEW YORK LAW SCHOOL)

- December 2012: Participated in roundtable discussion convened by the Andrew Mellon Foundation with university presidents, general counsels, and other leading advocates regarding *Fisher v. University of Texas*. Supervised the briefing and amicus effort of LDF as a defendant-intervenor in *Shelby County, Alabama v. Holder*, a Supreme Court case that challenged core provisions of the Voting Rights Act. Supervised drafting of an amicus brief in support of the respondent in *Arizona v. Inter-Tribal Council of Arizona*, a Supreme Court case involving preemption of a state registration requirement by the federal National Voter Registration Act. Supervised LDF's merits briefing in *Cantrell v. Granholm (BAMN v. Schuette)*, involving the constitutionality of a statewide ballot initiative that banned the consideration of race in admissions to promote racial diversity.
- October 2012: Participated in LDF's Southern Regional Strategy conference at Airlie, LDF's Annual Civil Rights Conference.
- September 2012: Conceptualized and led the drafting of LDF's amicus brief in the Second Circuit Court of Appeals and the U.S. Supreme Court in *Windsor v. the United States*. *Windsor* (successfully) challenged the constitutionality of Section 3 of the federal Defense of Marriage Act. LDF argued that heightened scrutiny should apply to DOMA. (The Supreme Court brief was the subject of a favorable Washington Post op-ed, "A Strong Black Voice for Gay Marriage," Washington Post, March 6, 2013, available at <http://www.washingtonpost.com/blogs/post-partisan/wp/2013/03/06/a-strong-black-voice-for-gay-marriage/>). Supervised the filing of a disparate impact complaint with the federal Office of Civil Rights in the U.S. Department of Education. The complaint challenged the use of a single test to determine admissions to New York City's specialized high schools.
- August 2012: Principal author of an amicus brief, filed in the federal district court in the Eastern District of Louisiana, in support of Justice Bernette Johnson's historic claim to become the first African-American Chief Justice of the Louisiana Supreme Court (involving the question of her status as the senior-ranking justice because her seat on the court had been created in settlement of voting rights litigation), available at http://www.naacpldf.org/files/case_issue/Chisom-Brief-August-15.pdf.
- July 2012: Supervised voting lawyers as they litigated significant challenges to voter identification laws under Section 5 of the Voting Rights Act in Texas, Louisiana, Florida, and South Carolina; also supervised briefing in case that challenged Louisiana's failure to register low-income voters under the federal National Voter Registration Act.

- April 2012: Supervised the drafting of LDF's amicus brief in *United States of America and Vulcan Society Inc. v. City of New York* regarding the availability of equitable relief in a Title VII disparate impact case.
- February 2012-August 2012: Supervised LDF's amicus litigation, advocacy, and communications in the Supreme Court case, *Fisher v. University of Texas*. The LDF staff coordinated a significant effort that led to the filing of over 70 amicus briefs in support of the University of Texas.
- January 2012: Conceptualized and was principal author of LDF's amicus brief in *Department of Health and Human Services v. Florida*, the Supreme Court case that challenged the Affordable Care Act. The brief was joined by the national ACLU and the Leadership Conference on Civil and Human Rights.
- November 2011-February 2012: Facilitated a coalition effort of national civil rights and social justice organizations in a significant Fair Housing Act case, *Magner v. Gallagher* (then-pending in the U.S. Supreme Court; the case eventually settled).
- September 2011: Convened a half-day conversation of nationally prominent advocates and leading scholars to explore interdistrict controlled choice's potential role in promoting racial and socioeconomic integration in public schools throughout New Jersey.
- July - September 2011: Supervised briefing and oral argument preparation in Little Rock school desegregation case in the Eighth Circuit Court of Appeals.

BAR MEMBERSHIPS

Admitted to the bars of the United States Supreme Court, the Eleventh Circuit Court of Appeals, the Eighth Circuit Court of Appeals, the Fifth Circuit Court of Appeals, the Southern District of New York, and the state bar of New York

PROFESSIONAL AFFILIATIONS, NATIONAL SERVICE & COMMUNITY ACTIVITIES

- At the invitation of the American Law Institute, I participated in a small bipartisan group that was convened to propose reforms to the federal Electoral Count Act (Spring 2022)
- Appointed by President Biden to serve on the Presidential Commission on the Supreme Court of the United States, April 9, 2021
- Elected fellow of the American Bar Foundation, Summer 2019 (as noted above)
- Elected member of the American Law Institute, Summer 2017 (as noted above)

- Founding Board Member, the New Jersey Coalition for Diverse & Inclusive Schools, Jan 2017-present. Leader in the effort to integrate New Jersey’s public schools and a significant force behind the case, *Latino Action Network, et al. v. State of New Jersey*, which challenges school segregation statewide; participated in numerous community presentations, panels, and lectures about school segregation in New Jersey
- Coordinator, Civil Rights & Racial Justice Working Policy Group, Hillary for America (HFA), Oct. 2015-Nov 2016. Responsible for identifying major civil rights issues and recommending positions to Clinton’s policy director and her senior advisers; vetted and managed working group members; tasked, revised, and delivered policy papers; set the monthly meeting agendas; assisted with rapid response
- National Board Member, the American Constitution Society, Washington, D.C., Dec. 2014-Jan 2020 Executive Committee; Co-Chair, Strategic Planning Committee. Also served on Finance Committee; Program Committee; and Board of Academic Advisors (which convenes legal scholars from law schools around the country in half-day sessions twice a year in Washington, D.C., to explore high-impact ideas and trends in constitutional law)
- Board Member, The New Jersey Institute for Social Justice, Newark, NJ, June 2014 – present Member of Governance and Strategic Directions Committees
- Board Member, North Star Fund, New York, NY, Jan 2006 – June 2012
- Board Member, Planned Parenthood of Metropolitan New Jersey, Sept. 2005–February 2007
- Board Member, Passaic County Legal Aid Society, Paterson, New Jersey, 2000-2003
- Member, Labor & Employment Law Committee, Association of the Bar of the City of New York, 1999-2002
- Montclair Superintendent’s Task Force on Integration: Member of blue ribbon, six-person task force convened to redesign Montclair’s magnet school assignment policy, in partnership with the Kirwan Institute at Ohio State, following the decision by the U.S. Supreme Court that limited consideration of race in student assignment. The Montclair Board of Education adopted the Task Force’s recommendations, and then-Montclair Superintendent Frank Alvarez commended our work), Dec. 2008-February 2010

SELECTED MEDIA APPEARANCES AND MENTIONS

International Media

- BBC Documentary, “The Black American Fight for Freedom,” available in the U.S. June 14, 2021

- Rafael Mathus Ruiz, “Efecto Trump. La Democracia Norteamericana, Canada por el Populismo,” *La Nacion* (Argentinian newspaper), Oct. 10, 2020, available at <https://www.lanacion.com.ar/opinion/efecto-trump-la-democracia-norteamericana-danada-por-el-populismo-nota-de-tapa-nid2473721/>
- VRT News (Belgium public news station), June 2, 2020 (discussing national protests following the murder of George Floyd)

National Media

- MSNBC’s All In with Chris Hayes, January 27, 2022
- Nicholas Lemann, “Can Affirmative Action Survive,” *The New Yorker*, July 26, 2021
- “In Full View of Race,” *Integrated Schools Podcast*, March 17, 2021
- ABCNewsLive, *Impeachment Markup*, Dec. 11, 2019
- *All Things Considered*, NPR, July 2019 (discussing *Milliken v. Bradley*)
- *All Things Considered*, NPR, May 2018 (discussing case challenging school segregation in NJ)
- *The Takeaway*, NPR, June 21, 2017 (discussing my New York Times op-ed on Philando Castile)
- *Due Process*, “The War On Drugs: Is It Over?,” Oct. 31, 2015
- *Due Process*, “Justice Sotomayor: Up Close and Personal,” July 20, 2014
- MSNBC’s All In with Chris Hayes, June 2013
- NPR Radio segment on Title VII litigation, Oct. 10, 2012
- NBC Nightly News segment on *Fisher v. University*, Oct. 3, 2012
- MSNBC’s Up With Chris Hayes, Sept. 30, 2012
- PBS’s *Democracy Now* with Amy Goodman (discussing *Texas v. Holder*), Aug. 31, 2012
- Bernard J. Pazanowski, “Hype After Ricci Was Handed Down Fizzles as Opinion Proves to Have Limited Impact,” *BNA US Law Week*, Nov. 16, 2010
- Al Baker, “Judge Cites Discrimination in N.Y. Fire Department,” *The New York Times*, Jan. 10, 2010
- Tavis Smiley program commemorating the 5^{0th} anniversary of *Brown v. Board of Education*, broadcast on C-SPAN on May 15, 2004