

National Black Law Journal
presents



the Trumping Our Rights *symposium*

FRIDAY, MARCH 16, 2017

9:00-9:30 AM | Registration & Breakfast | Main Lobby & Room 1314

9:30-11:00 AM | Immigration and International Rights Panel | Room 1347

The Immigration and International Rights panel will discuss how the current administration's policies have affected Black immigrants and the African diaspora from as near as Haiti and as far as Chad. Panelists will discuss topics including, but not limited to, the travel bans, the end of temporary protected status for Haitian immigrants, and DACA. Our panelists are:

Tendayi Achiume

Assistant Professor of Law at UCLA Law

Khaled Beydoun

Associate Professor of Law at University of Detroit Mercy Law

Jennifer Chacón

Chancellor's Professor of Law at UC Irvine Law

11:15-12:45 PM | Criminal Justice and Policing Panel | Room 1347

The Criminal Justice and Policing panel will examine aspects of the criminal justice system both pre and post the Donald Trump White House. The discussion will include an examination of how the current U.S. Attorney General's policies target Black people and communities. Topics will range from predatory policing and Fourth Amendment law to the privatization of federal prisons, the relaunch of the War on Drugs, and the departure from investigations of police departments accused of various forms of state violence. Our panelists are:

Devon Carbado

The Honorable Harry Pregerson Professor of Law at UCLA Law

Lisa Holder

Lecturer in Law at UCLA Law

Sunita Patel

Assistant Professor of Law, Faculty Director, UCLA Veterans Legal Clinic

12:45-1:45 PM | Lunch | Foyer & Lincoln Bust, Room 1420

2:00-3:30 PM | Education Panel | Room 1347

The Education panel will explore the ways in which this administration's policies negatively impact Black students. Panelists will discuss topics including, but not limited to, the school-to-prison pipeline, increased funding for charter schools in conjunction with decreased funding for traditional public schools, access to higher education, and changes to financial aid. Our panelists are:

Cheryl Harris

Rosalinde and Arthur Gilbert Professor in Civil Rights and Civil Liberties at UCLA Law

Jonathan Glater

Professor of Law at UC Irvine Law

Steven Nelson

Assistant Professor of Leadership & Policy Studies at University of Memphis

Kimberly West-Faulcon

James P. Bradley Chair in Constitutional Law at Loyola Law School

3:45-5:15 PM | Gender & Sexuality Panel | Room 1347

The Gender and Sexuality panel will interrogate the threat that this administration poses to Black women and the LGBTQ community, as well as the tools of advocacy we should employ as lawyers and activists to combat these threats. Panelists will discuss topics including, but not limited to, the administration's attack on women's reproductive rights, LGBTQ rights, and protections against sexual assault through an intersectional lens. Our panelists are:

Kimberlé Crenshaw

Distinguished Professor of Law at UCLA and Columbia Law School, Co-Founder of the African American Policy Forum

Michele Goodwin

Chancellor's Professor of Law at UC Irvine Law

Russell Robinson

Distinguished HAAS Chair in LGBT Equity Professor of Law at UC Berkeley Law

5:30-6:30 PM | Mixer | Room 1347 & Shapiro Courtyard

The National Black Law Journal would like to thank the Critical Race Studies program and the UCLA Student Bar Association for co-sponsoring this symposium.





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Tendayi Achiume | Assistant Professor of Law at UCLA Law

Tendayi Achiume is an Assistant Professor of Law at UCLA School of Law. Her research and teaching interests lie in international human rights law, international refugee law, international migration, international criminal justice, and property. In 2016 she was appointed to co-chair the 2016 Annual Meeting of the American Society of International Law. She is also a Research Associate with the African Centre for Migration and Society at the University of Witwatersrand. Professor Achiume earned her B.A. from Yale University and her J.D. from Yale Law School. While at law school, she also earned a Graduate Certificate in Development Studies from Yale. She served as Managing Editor of Submissions for the Yale Journal of International Law and was a recipient of the Fox International Fellowship, and the Howard M. Holtzmann Fellowship in International Arbitration and Dispute Resolution. She was recently appointed as the Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance by the United Nations Human Rights Council. The Special Rapporteur investigates cases of racial discrimination and xenophobia worldwide, conducts country visits and presents annual reports to the Human Rights Council and General Assembly.

Khaled A. Beydoun | Associate Professor of Law at University of Detroit Mercy Law

Professor Khaled A. Beydoun is an Associate Professor of Law at the University of Detroit Mercy School of Law. He previously served on the UCLA School of Law faculty, and currently serves as affiliated faculty with the UC-Berkeley Islamophobia Research & Documentation Project. Professor Beydoun has extensive experience as an attorney, working within the realm of civil rights, criminal defense, and international law practice. A Critical Race Theory scholar, Professor Beydoun examines Islamophobia from a legal, race-based and intersectional perspective. His scholarship examines the racial construction of Arab and Muslim American identity, criminal and national security policing, and the intersection of race, religion and citizenship. His work has been featured in top law journals, including the California Law Review, the UCLA Law Review, the Michigan Journal of Race and Law, and the Harvard Journal of Race & Ethnic Justice. A native of Detroit, Professor Beydoun earned his law degree from the UCLA School of Law, and his BA from the University of Michigan. He also holds a Master's Degree from the University of Toronto. A regular commentator on pressing issues, Professor Beydoun contributes regularly to Al-Jazeera English, serves as an expert consultant for the US Census Bureau, and has featured his opinion pieces in the New York Times, Washington Post, Newsweek, Salon and the BBC.

Devon Carbado | The Honorable Harry Pregerson Professor of Law at UCLA Law, Associate Vice Chancellor of BruinX for Equity, Diversity and Inclusion

Devon Carbado has won numerous teaching awards, including being elected Professor of the Year by the UCLA School of Law classes of 2000 and 2006 and received the Law School's Rutter Award for Excellence in Teaching in 2003 and the University's Distinguished Teaching Award, the Eby Award for the Art of Teaching in 2007. In 2005 Professor Carbado was named an inaugural recipient of the Fletcher Foundation Fellowship. Modeled on the Guggenheim fellowships, it is awarded to scholars whose work furthers the goals of Brown v. Board of Education. Professor

Carbado writes in the areas of employment discrimination, criminal procedure, constitutional law, and identity. He is the author of *Acting White? Rethinking Race in “Post-Racial” America* (Oxford University Press) (with Mitu Gulati) and the editor of several volumes, including *Race Law Stories* (Foundation Press) (with Rachel Moran), *The Long Walk to Freedom: Runaway Slave Narratives* (Beacon Press) (with Donald Weise), and *Time on Two Crosses: The Collective Writings of Bayard Rustin* (Cleis Press) (with Donald Weise). A board member of the African American Policy Forum, Professor Carbado was the Shikes Fellow in Civil Liberties and Visiting Professor of Law at Harvard Law School in 2012. Professor Carbado graduated from Harvard Law School in 1994. At Harvard, he was editor-in-chief of the *Harvard Black Letter Law Journal*, a member of the Board of Student Advisors, and winner of the Northeast Frederick Douglass Moot Court Competition. Carbado joined the UCLA School of Law faculty in 1997. He served as Vice Dean for Faculty and Research at the School of Law from 2006-07, and again in 2009-10. Professor Carbado is currently working on a series of articles on race, law, and police violence.

Jennifer Chacón | Chancellor's Professor of Law at UC Irvine Law

Prof. Chacón teaches and performs research in the fields of immigration law, constitutional law, and criminal law and procedure. The first edition of her casebook, *Immigration Law and Social Justice*, was released last year by Wolters Kluwer. She has published work in many of the nation's leading law reviews including the *Harvard Law Review*, *Harvard Civil Rights-Civil Liberties Law Review*, *New Criminal Law Review*, *University of Pennsylvania Law Review*, *Duke Law Review*, and *Denver Law Review*. A faculty member at UCI Law since the school's inaugural classes in 2009, Prof. Chacón has twice been nominated for a Distinguished Teaching Award and was recently elected into the American Law Institute. She is currently the Senior Associate Dean for Administration. She was previously on the faculty at the University of California, Davis, and has been a visiting faculty member at Harvard Law School and Stanford Law School. Prof. Chacón earned her J.D. from Yale Law School, and an A.B., with distinction, from Stanford University.

Kimberlé Crenshaw | Distinguished Professor of Law at UCLA and Columbia Law School, Co-Founder of the African American Policy Forum

Kimberlé Crenshaw, Professor of Law at UCLA and Columbia Law School, is a leading authority in the area of Civil Rights, Black feminist legal theory, and race, racism and the law. Her work has been foundational in two fields of study that have come to be known by terms that she coined: Critical Race Theory and Intersectionality. Crenshaw's articles have appeared in the *Harvard Law Review*, *National Black Law Journal*, *Stanford Law Review* and *Southern California Law Review*. Crenshaw has lectured widely on race matters, addressing audiences across the country as well as in Europe, India, Africa and South America. A specialist on race and gender equality, she has facilitated workshops for human rights activists in Brazil and in India, and for constitutional court judges in South Africa. Her groundbreaking work on “Intersectionality” has traveled globally and was influential in the drafting of the equality clause in the South African Constitution. Crenshaw authored the background paper on Race and Gender Discrimination for the United Nation's World Conference on Racism, served as the Rapporteur for the conference's Expert Group on Gender and Race Discrimination, and coordinated NGO efforts to ensure the inclusion of gender in the WCAR Conference Declaration. She is a leading voice in calling for a gender-inclusive approach to racial justice interventions, having spearheaded the *Why We Can't Wait Campaign* and co-authored *Black Girls Matter: Pushed Out, Overpoliced and Underprotected*, and *Say Her Name: Resisting Police Brutality Against Black Women*. In 1996, she co-founded the African American Policy Forum to house a variety of projects designed to deliver research-based strategies to better advance social inclusion. Among the Forum's projects are the Affirmative Action Research and Policy Consortium



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and the Multiracial Literacy and Leadership Initiative. A founding member of the Women's Media Initiative, Crenshaw writes for Ms. Magazine, the Nation and other print media, and has appeared as a regular commentator on NPR and MSNBC. In 2015, Crenshaw was featured in the Ebony Power 100, a list honoring the contemporary heroes of the black community, and was #1 on Ms. Magazine's list of Feminist Heroes of 2015. She was also honored in March as one of Harvard Law School's "Women Inspiring Change," and the same month she was recognized by *Diverse: Issues in Higher Education* as one of the "Top 25 Women in Higher Education." Currently, Crenshaw is Director of the Center for Intersectionality and Social Policy Studies (CISPS) at Columbia Law School, which she founded in 2011, as well as the Centennial Professor at the LSE Gender Institute 2015-2018.

Jonathan Glater | Professor of Law at UC Irvine Law

Professor Glater's writing focuses on the role of law as both response to and source of barriers to higher education. His research interests include the impact of federal aid policy on access to college, the effects of education debt on student decision-making, and relationships between higher education finance and the functioning of financial markets. Prior to joining the faculty, Professor Glater for nine years worked as a reporter at *The New York Times*, where he wrote about the business of law and about higher education finance. Before joining the *Times*, he worked at Cleary, Gottlieb, Steen & Hamilton in New York and at Marval, O'Farrell & Mairal in Buenos Aires, Argentina. Prof. Glater was named to *Lawyers of Color* magazine's 2013 list of 50 Under 50 of the Most Influential Minority Law Professors.

Michele Goodwin | Chancellor's Professor of Law at UC Irvine Law

Professor Michele Goodwin is a Chancellor's Professor at the University of California, Irvine with appointments at the School of Law; Program in Public Health; Department of Criminology, Law, & Society; Department of Gender and Sexuality Studies; and Stem Cell Research Center. She is the founder and director of the Center for Biotechnology and Global Health Policy at UC Irvine School of Law and its internationally acclaimed Reproductive Justice Initiative. Professor Goodwin serves on the National Board and Executive Committee of the American Civil Liberties Union and is an elected member of the American Law Institute and Fellow of the American Bar Foundation. She is one of the world's leading authorities on the regulation of medicine, science, and biotechnology. Her scholarship defines new ways of thinking about the intersections of law, society, economics, and the human body. Her publications include five books and over 80 articles and book chapters on law's regulation of the human body, including civil and criminal regulation of pregnancy and reproduction, reproductive technologies, human trafficking (for organs, sex, and marriage), and tissue and organ transplantation. Professor Goodwin's editorials and commentaries appear in the *Los Angeles Times*, *New York Times*, *Forbes*, *Politico*, *Gene Watch*, *Christian Science Monitor*, *Houston Chronicle*, *Chicago Sun Times*, *Washington Post*, *AlterNet* and *Salon.com* among others. She is the founder of the Institute for Global Child Advocacy and former Everett Fraser Professor in Law at the University of Minnesota. She served as a Visiting Professor at the University of Chicago and as a Visiting Scholar at the University of California-Berkeley and Columbia University

Law School. She is a highly sought after voice on civil liberties, reproductive justice and health, cultural politics, and human rights. Prior to law teaching, Professor Goodwin was a Gilder-Lehrman Post-Doctoral Fellow at Yale University.

Cheryl I. Harris | Rosalinde and Arthur Gilbert Professor in Civil Rights and Civil Liberties and Faculty Director, Critical Race Studies Program at UCLA Law

A graduate of Wellesley College and Northwestern School of Law, Professor Harris began her teaching career in 1990 at Chicago- Kent College of Law after working for one of Chicago's leading criminal defense firms and later serving as a senior legal advisor in the City Attorney's office as part of the reform administration of Mayor Harold Washington of Chicago. The interconnections between racial theory, civil rights practice, politics, and human rights have been important to her work. She was a key organizer of several major conferences that helped establish a dialogue between U.S. legal scholars and South African lawyers during the development of South Africa's first democratic constitution. This work played a significant role in the production of her acclaimed and influential article, "Whiteness as Property" (Harvard Law Review). Since joining the UCLA Law faculty in 1998, Professor Harris has continued to produce groundbreaking scholarship in the field of Critical Race Theory, particularly engaging the issue of how racial frames shape our understanding and interpretation of significant events like Hurricane Katrina—"Whitewashing Race", in California Law Review), admissions policies ("The New Racial Preferences" in California Law Review)(with Carbedo) and anti-discrimination law ("Reading Ricci: Whitening Discrimination, Race-ing Test Fairness" in UCLA Law Review) (with West-Faulcon). She has also lectured widely on issues of race and equality at leading institutions here and abroad, including in Europe, South Africa, and Australia, and has been a frequent contributor to various media outlets on current events and cases involving race and equality. Professor Harris has served as a consultant to the MacArthur Foundation, She has served as faculty director for the Critical Race Studies Program at UCLA Law School and has been widely recognized as a groundbreaking teacher in the area of civil rights education, receiving the ACLU Foundation of Southern California's Distinguished Professor Award for Civil Rights Education.

Lisa Holder | Lecturer in Law at UCLA Law

Lisa Holder teaches Civil Rights & Police Accountability Clinic at UCLA School of Law. Holder currently operates her own law practice in Pasadena specializing in criminal trials and appeals, civil rights litigation, policing policy, and contracts negotiation. She serves as Technical Advisor for the law enforcement procedural drama "Longmire," Netflix's popular dramatic television series. She has been named a "Rising Star" for five consecutive years by Los Angeles Magazine, Super Lawyer's Edition. Holder was previously an adjunct professor at Occidental College, an associate at Law Offices of Hadsell & Stormer, Inc. and Deputy Alternate Public Defender at Los Angeles County Alternate Public Defender. Holder earned her B.A. from Wesleyan University and her J.D. from New York University School of Law where she was the Soros Justice Fellow and Root-Tilden Scholar.

Steven Nelson | Assistant Professor of Leadership & Policy Studies at University of Memphis

Dr. Steven L. Nelson joined the faculty of the Leadership Department at the University of Memphis in fall 2015. He joins the faculty after serving one year at the University of New Orleans. Dr. Nelson holds a Ph.D. in Educational Leadership from the Pennsylvania State University. He also holds a J.D. from the University Of Iowa College of Law as well as a M.A.T. from Xavier University of Louisiana. His undergraduate background is in Political Science from the Louisiana State University. Dr. Nelson joins the faculty in the Leadership Department with a wide range of experiences. He



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taught in the private and public (both traditional and charter) schools in the New Orleans area. During his time as a high school teacher, Dr. Nelson rose to the level of teacher-leader where he dispatched administrative duties that included curriculum design and alignment, behavior intervention and classroom management support and instructional coaching. Dr. Nelson joined the staff at the Southern Poverty Law Center's School-to-Prison Pipeline Project in New Orleans after exiting the traditional role of an educator in the school building. At SPLC, Dr. Nelson worked on charter school law and policy, special education and juvenile justice advocacy and supported students, parents and communities in accessing equitable educational opportunities.

Sunita Patel | Assistant Professor of Law, Faculty Director, UCLA Veterans Legal Clinic
Sunita Patel is an Assistant Professor of Law and Faculty Director of the UCLA Veterans Legal Clinic. Her areas of research include police misconduct, civil rights litigation, social movement theory, and the intersection of migrant rights and criminal procedure. She has practice experience with notable public interest institutions, including the Center for Constitutional Rights, The Legal Aid Society of New York, and the Southern Center for Human Rights. She has engaged in significant litigation and advocacy on a range of issues including; policing, criminal justice processes, racial profiling, immigration detention, employment law, and international human rights, and has also provided legal counsel to numerous grassroots social justice organizations. Professor Patel's influential cases included *Floyd v. City of New York*, a watershed successful class action lawsuit against the New York City Police Department's discriminatory stop and frisk practices and *Turkmen v. Ashcroft* (argued in the U.S. Supreme Court this year), a class action *Bivens* suit on behalf of Muslim and Arab men challenging senior officials in the U.S. government for their roles in the post-9/11 round-ups and punitive treatment in federal prison. Professor Patel served as a judicial law clerk for the Honorable Ivan L. R. Lemelle in the Eastern District of Louisiana and was previously awarded a prestigious Soros Justice Advocacy Fellowship.

Russell Robinson | Distinguished HAAS Chair in LGBT Equity Professor of Law at UC Berkeley Law

Prior to joining UC Berkeley, Robinson was Professor of Law at UCLA. Robinson graduated with honors from Harvard Law School (1998), after receiving his B.A. summa cum laude from Hampton University (1995). Robinson clerked for Judge Dorothy Nelson of the Ninth Circuit Court of Appeals (1998-99) and for Justice Stephen Breyer of the U.S. Supreme Court (2000-01). He has also worked for the U.S. Department of Justice, Office of Legal Counsel (1999-2000) and the firm of Akin, Gump, Strauss, Hauer and Feld in Los Angeles, practicing entertainment law (2001-02). Robinson's scholarly and teaching interests include antidiscrimination law, race and sexuality, law and psychology, constitutional law, and media and entertainment law.

Kimberly West-Faulcon | James P. Bradley Chair in Constitutional Law at Loyola Law School
Professor Kimberly West-Faulcon researches the legal implications of theories of intelligence and fair and proper use of standardized tests, antidiscrimination and constitutional law. Her work seeks to expose the theoretical and legal implications of modern research from the fields of psychology,

statistics and psychometrics and bridge science and law to offer new insights into the study of intelligence. Professor West-Faulcon graduated from Yale Law School where she was a senior editor of the Yale Law Journal. After law school, she clerked for the Honorable Stephen R. Reinhardt on the Ninth Circuit U.S. Court of Appeals and served as a Skadden Fellow in the New York office of the NAACP Legal Defense and Educational Fund, Inc (“LDF”) in 1996 before going on to direct the Los Angeles office of the LDF from 1998 until 2005 as Western Regional Counsel and Director. Professor West-Faulcon obtained her undergraduate degree Phi Beta Kappa from Duke University, where she graduated summa cum laude. Her scholarship and teaching are grounded in her cutting edge career as a civil rights attorney and litigator, where her work focused on the legal standard for proper use of standardized tests in elementary, secondary and higher education. Her cases include representation of African-American, Latino and Caucasian elementary and high school students in a legal challenge to a high stakes testing policy in Johnston County, North Carolina and African-American and Latino students asserting their interest in the test-based admissions policy of selective examination high schools in Boston, Massachusetts. On the higher education level, Professor West-Faulcon sued UC Berkeley for discrimination in admissions on behalf of African-American, Latino and Filipino students after the elimination of race-based affirmative action on the theory that the institution’s overreliance on the SAT violated the U.S. Constitution and federal civil rights law.