“A profound elegy on race relations in the Age of Trump...”

Paul Butler,
MSNBC Legal Analyst

CENTER ON RACE, LAW AND JUSTICE presents

Voting Rights and Discrimination Insights from the book

Whitelash: Unmasking White Grievance at the Ballot Box

September 23, 2020
4 - 5:30 p.m.
Zoom Webinar

This program is presented in conjunction with
the Fordham Law Advocates for Voting Rights (FLAVR), Fordham Law School's
Black Law Students Association (BLSA), Fordham Law School's Latin Americam Law
Students Association (LALSA) and the Fordham Leitner Center for International
Law and Justice.
Agenda

4 – 4:05 p.m.  **Welcome Remarks**

4:05 – 5:30 p.m.  **CLE Panel Discussion on "Whitelash"**

(1.5 Diversity, Inclusion and Elimination of Bias CLE)

*Featuring*

**Matt Gallaway**, Senior Editor, Cambridge University Press

**Christina Greer**
Associate Professor of Political Science, Fordham University

**Darren Hutchinson**
Raymond & Miriam Ehrlich Eminent Scholar Chair; Professor of Law; Associate Dean for Faculty Development, University of Florida Levin College of Law

**Audrey McFarlane**
Associate Dean of Faculty Research and Development; Dean Julius Isaacson Professor of Law, University of Baltimore School of Law

**Janai Nelson, Esq.**
Associate Director-Counsel, NAACP Legal Defense and Educational Fund

*Moderator*

**Tanya Kateri Hernández**
Archibald R. Murray Professor of Law, Fordham Law School

**CLE CREDIT**
Credit has been approved in accordance with the requirements of the New York State CLE Board for a maximum of 1.0 non-transitional (1.5 diversity, inclusion & elimination of bias) credit

CLE course materials are available at: law.fordham.edu/clematerials
Speaker Bios

Matt Gallaway
Senior Editor, Cambridge University Press
Matt Gallaway is a Senior Editor at Cambridge University Press, where he acquires books on social justice, law and technology, and other law-oriented subjects. Matt commission monographs, coursebooks/general-interest titles, and research handbooks for the law list on antitrust, intellectual property, development, law and technology (including privacy, surveillance, and automation), environmental law/global warming.

He also commissions US-focused titles on Supreme Court jurisprudence, policing, economic inequality, health care, property/housing issues, labor law, voting rights, and the legal rights of disadvantaged classes.

He received his J.D. at New York University School of Law.

Christina Greer
Associate Professor of Political Science, Fordham University
Christina Greer is an Associate Professor of Political Science at Fordham University - Lincoln Center (Manhattan) campus. Her research and teaching focus on American politics, black ethnic politics, urban politics, quantitative methods, Congress, New York City and New York State politics, campaigns and elections, and public opinion. Prof. Greer's book *Black Ethnics: Race, Immigration, and the Pursuit of the American Dream* (Oxford University Press) investigates the increasingly ethnically diverse black populations in the US from Africa and the Caribbean. She finds that both ethnicity and a shared racial identity matter and also affect the policy choices and preferences for black groups. Professor Greer is currently writing her second manuscript and conducting research on the history of all African Americans who have run for the executive office in the U.S. Her research interests also include mayors and public policy in urban centers. Her previous work has compared criminal activity and political responses in Boston and Baltimore. She is the host and producer of The Aftermath with Christina Greer on Ozy.com [http://www.ozy.com/topic/the-aftermath](http://www.ozy.com/topic/the-aftermath). Prof. Greer received her BA from Tufts University and her MA, MPhil, and PhD in Political Science from Columbia University.

Darren Hutchinson
Raymond & Miriam Ehrlich Eminent Scholar Chair; Professor of Law; Associate Dean for Faculty Development, University of Florida Levin College of Law
Professor Darren Hutchinson currently holds the prestigious Raymond & Miriam Ehrlich Eminent Scholar Chair at the Levin College of Law. He has written extensively on issues related to Constitutional Law, Critical Race Theory, Law and Sexuality, and Social Identity Theory. His numerous publications have appeared in many prestigious journals including the Cornell Law Review, the Washington University Law Review, the UCLA Law Review, the Alabama Law Review, the Illinois Law Review, the Tulane Law Review, the Michigan Journal of Race and Law, the University of Pennsylvania Journal of Constitutional Law, and the Journal of Law and Inequality. At the University of Florida Levin College of Law, Professor Hutchinson teaches
Constitutional Law, Remedies, Race and the Law, and Civil Rights Seminar. He received a B.A. from the University of Pennsylvania and a J.D. from Yale Law School.

Before joining the Levin College of Law faculty, Professor Hutchinson was an Associate Professor at Southern Methodist University School of Law and a Professor at American University, Washington College of Law.

Prior to his career in teaching law, Professor Hutchinson practiced commercial litigation at Cleary, Gottlieb, Steen and Hamilton in New York City. He also clerked for the late Honorable Mary Johnson Lowe, a former United States District Judge in the Southern District of New York.

Professor Hutchinson has delivered lectures at numerous universities, including Yale, Stanford, Columbia, the University of Pennsylvania, the University of Michigan, the University of California at Berkeley, the University of Virginia, Cornell, Georgetown, and Boston University. During the fall of 1999, Professor Hutchinson was a Visiting Scholar at Yale Law School, and during the Spring of 2002 he was a Visiting Professor at the University of Pennsylvania Law School.

Professor Hutchinson also authors Dissenting Justice — a blog related to law and politics. This blog is also available and more active on Facebook. The content of these blogs do not reflect the views of the University of Florida or the State of Florida; the blog receives no funding from the State of Florida.

Audrey McFarlane
Associate Dean of Faculty Research and Development; Dean Julius Isaacson Professor of Law, University of Baltimore School of Law

Audrey McFarlane’s research and teaching focus on areas of law related to economic development. Her scholarship examines the ways in which economic development is not a neutral policy that government can advance without addressing significant structural issues related to race, class and geography. Her most recent works have focused on how mixed income housing reflects social domination and seeks to manage discrimination and how constitutional doctrine should evaluate the propriety of inclusionary zoning in ways that account for developers’ role and influence on development decision-making. Professor McFarlane has also written on a range of topics including how norms of property law contribute to recurrent foreclosure crises, the insights of critical race theory for eminent domain and regulatory takings, and democratic theoretical justifications for community participation in economic development. She has been a visiting professor at Northeastern School of Law, Seattle University School of Law and University of Maryland School of Law.

Professor McFarlane has an A.B. from Harvard-Radcliffe and a J.D. from Stanford Law School where she was a member of the Stanford Law Review. She joined the University of Baltimore School of Law faculty after clerking for the Hon. A. Leon Higginbotham, Jr., Chief Judge of the United States Court of Appeals for the Third Circuit, and working as an associate at the Washington D.C. law firm of Wilmer Cutler and Pickering. At UB, she teaches courses in Property, Land Use, Local Government and Local Economic Development.
Janai Nelson, Esq.
Associate Director-Counsel, NAACP Legal Defense and Educational Fund

Janai S. Nelson is Associate Director-Counsel of the NAACP Legal Defense and Educational Fund, Inc. (LDF). As an organizational thought-leader at LDF, Nelson works with the President and Director-Counsel to determine and execute LDF’s strategic vision and oversee the operation of its programs, including having served as interim director of LDF’s Thurgood Marshall Institute. She is also a member of LDF’s litigation and policy teams, and was one of the lead counsel in Veasey v. Abbott (2018), a federal challenge to Texas’s voter ID law. Prior to joining LDF in June 2014, Nelson was Associate Dean for Faculty Scholarship and Associate Director of the Ronald H. Brown Center for Civil Rights and Economic Development at St. John’s University School of Law where she was also a full professor of law.

During her eight years at St. John’s, Nelson launched and led an annual student program at the Supreme Court of the United States and assisted in the direction The Ronald H. Brown Prep Program for College Students, an award-winning law school pipeline program, among countless other service activities.

Nelson is recipient of the 2013 Derrick A. Bell Award from the American Association of Law Schools (AALS) Section on Minority Groups and was named one of Lawyers of Color’s 50 Under 50 minority professors making an impact in legal education. Her scholarship centers on domestic and comparative election law, race, and democratic theory and she has taught courses in Election Law and Political Participation, Comparative Election Law, Voting Rights, Professional Responsibility, and Constitutional Law. Nelson’s most recent scholarly publication, Counting Change: Ensuring an Inclusive Census for Communities of Color, 119 Colum. L. Rev. (2019), advances a theory of representational equality in which all U.S. residents “are to be counted — and served — as constituents” and that centers the Census and the accurate count of the country’s most vulnerable populations in the functioning of our democracy. Prior to that, she published The Causal Context of Disparate Vote Denial, 54 B.C. L. Rev. 579 (2013), which examines Section 2 of Voting Rights Act as a disparate impact standard and the racial dimensions of modern vote denial. Her article, The First Amendment, Equal Protection, and Felon Disfranchisement: A New Viewpoint, 64 Fl. L. Rev. 111 (2013), explores the intersection of the First Amendment and the equal protection clause in reconsidering the constitutionality of felon disfranchisement in the United States. She also has several ongoing writing projects, including a chapter in a forthcoming book and a law review article on partisan gerrymandering in the wake of the decisions of the preceding Supreme Court term.

Prior to entering academia, Nelson was a Fulbright Scholar at the Legal Resources Center in Accra, Ghana, where she researched the political disfranchisement of persons with criminal convictions and the advancement of democracy in Ghana. Her research as a Fulbright Scholar is the basis of a publication entitled, Fair Measure of the Right to Vote: A Comparative Perspective of Voting Rights Enforcement in a Maturing Democracy, 18 Cardozo J. Comp. & Int’l 425 (2010). Prior to receiving the Fulbright award, Nelson was the Director of LDF’s Political Participation Group where she oversaw all voting related litigation and matters, litigated voting rights and redistricting cases, and worked on criminal justice issues on behalf of African...
Americans and other under-served communities. While at LDF, she argued en banc before the Second Circuit and served as lead counsel in Hayden v. Pataki, a felon disfranchisement case that challenged New York State laws that deny the right to vote to people who are incarcerated and on parole for a felony conviction. She was also part of the team of civil rights attorneys representing African- and Haitian-American voters in NAACP v. Hood (a class action suit that arose out of the 2000 general elections) and one of the counsel representing a death row inmate whose sentence was commuted in 2003 by the U.S. Supreme Court in Banks v. Dretke.

Nelson began practicing law as the 1998 recipient of an NAACP LDF/Fried Frank Fellowship. She received a B.A. from New York University and a J.D. from UCLA School of Law where she served as Articles Editor of the UCLA Law Review, Consulting Editor of the National Black Law Journal, and Associate Editor of the UCLA Women’s Law Journal. Upon graduating from law school, Nelson clerked for the Honorable Theodore McMillian on the United States Court of Appeals for the Eighth Circuit (1997-1998) and the Honorable David H. Coar on the United States District Court for the Northern District of Illinois (1996-1997). She has been published on issues of domestic and comparative election law, democracy, race, and criminal justice and is a contributor to Thomson Reuters and Huffington Post. Nelson has also appeared on CNN, InsideOut, public radio and other media as an election law expert and regularly speaks at conferences and symposia nationwide.

Tanya Katerí Hernández
Archibald R. Murray Professor of Law, Fordham Law School

Tanya Katerí Hernández is the Archibald R. Murray Professor of Law at Fordham University School of Law, where she teaches Anti-Discrimination Law, Comparative Employment Discrimination, Critical Race Theory, The Science of Implicit Bias and the Law: New Pathways to Social Justice, and Trusts & Wills. She received her A.B. from Brown University, and her J.D. from Yale Law School, where she served as Note Topics Editor of the Yale Law Journal.

Professor Hernández is an internationally recognized comparative race law expert and Fulbright Scholar who has visited at the Université Paris Ouest Nanterre La Défense, in Paris and the University of the West Indies Law School, in Trinidad. She has previously served as a Law and Public Policy Affairs Fellow at Princeton University, a Faculty Fellow at the Institute for Research on Women at Rutgers University; a Faculty Fellow at the Fred T. Korematsu Center for Law and Equality, and as a Scholar in Residence at the Schomburg Center for Research in Black Culture. Professor Hernández is a Fellow of the American Bar Foundation, the American Law Institute, and the Academia Puertorriqueña de Jurisprudencia y Legislación. Hispanic Business Magazine selected her as one of its annual 100 Most Influential Hispanics. Professor Hernández serves on the editorial boards of the Revista Brasileira de Direito e Justiça/Brazilian Journal of Law and Justice, and the Latino Studies Journal published by Palgrave-Macmillian Press.

Professor Hernández’s scholarly interest is in the study of comparative race relations and anti-discrimination law, and her work in that area has been published in numerous university law reviews like Cornell, Harvard, N.Y.U., U.C. Berkeley, Yale and in news outlets like the New York Times, among other publications including her books Racial Subordination in Latin America: The Role of the State, Customary Law and the New Civil Rights Response (including