

ANNUAL REPORT

FISCAL YEAR 2022 - 2023

Margaret A. Burnham, Faculty Co-Director Director, Civil Rights and Restorative Justice

Deborah Ramirez, Faculty Co-Director Director, Criminal Justice Task Force

Deborah A. Jackson, Managing Director Center for Law, Equity and Race

CENTER FOR LAW, EQUITY AND RACE NORTHEASTERN SCHOOL OF LAW

ANNUAL REPORT FY 2022-2023

INTRODUCTION

The Center for Law, Equity & Race (CLEAR) was formally established in 2021 by Northeastern University School of Law to bring together the school's pioneering programs and faculty— long engaged in theoretical and translational research, innovative pedagogy and collaborations with external communities — to address current challenges and provide solutions for the nation's most complex social challenges. Two dynamic programs are currently at the core of the CLEAR's work: the nationally recognized Civil Rights and Restorative Justice Project (CRRJ), led by Professor Margaret Burnham, and the highly regarded Criminal Justice Task Force (CJTF), led by Professor Deborah Ramirez. As one of the law school's four Centers of Excellence, CLEAR offers an interdisciplinary convening space for faculty and students across the university whose work addresses racial inequities and racism and who want to have an impact on these critical issues.

The objectives of CLEAR include, but are not limited to, identifying the intersections between historical racial violence and the criminal justice system; examining the impact of civic engagement in community and redevelopment initiatives to obtain more equitable outcomes; supporting research projects at the law school that align with CLEAR's mission; and collaborating with other academic and community-based entities to advance the work of racial and social justice.

As a Center, CLEAR formally launched its work with the hiring of Deborah A. Jackson, as the Managing Director in May 2022. Part of the vision of the Center is to expand and integrate, where appropriate, the work of the existing programs of the Civil Rights and Restorative Justice Project (CRRJ) and the Criminal Justice Task Force (CJTF); as well as operate as the racial justice center for the law school and the broader Northeastern University community.

The following sections provide a summary of the activities organized, sponsored or supported by the Center's leadership team and staff during the fiscal year 2022 to 2023.

CENTER FOR LAW, EQUITY AND RACE

PROGRAMS

As part of CLEAR's broader work on the issues of racial and social justice, several forums were organized. Within days after the leak of the Dobb's decision and its impact on Roe v. Wade,

CLEAR sprung into action and held the discussion "Dobbs v. Jackson Women's Health - What's Up with That??? with Libby Adler, Professor of Law and Women's, Gender, and Sexuality Studies; Martha Davis, University Distinguished Professor of Law, and Suzanna Danuta Walters, Professor of Sociology and Director, Women's, Gender, and Sexuality Studies, Northeastern University College of Social Sciences and Humanities. Similarly, after the horrific shooting in Buffalo, NY, CLEAR held a "Buffalo: In Tribute and Solidarity" event to provide a space for the community directly impacted by the killings as well as the broader community.

As part of its mission to address racial injustice, CLEAR was able to respond nimbly on behalf of the university community when another young unarmed Black man fell victim to a brutal and savage beating by police officers in Memphis, TN that resulted in his death. A very moving and somber event was held as "A Community Conversation: Saying Tyre Nichols' Name" and included very insightful student reflections.

ACADEMIC ENGAGEMENT

To build on the initial program of Racial Justice Fellows established by Dean James Hackney, CLEAR expanded on the concept and selected four scholars for the 2022-23 Fellowship Cohort. The cohort's research, scholarship, and community partnerships address the broad topics of racialized housing inequalities and structural barriers to equitable community development. The cohort's projects explore pathways to (1) reinvigorate federal, state and local rights to safe, decent, affordable housing; (2) revitalize Roxbury, Boston's traditional Black neighborhood, through investments in community cultural initiatives; and (3) illuminate and address government fees as an understudied barrier to entry for BIPOC business enterprises and robust community economic development. In addition to law school faculty, a faculty member from the College of Arts, Media and Design was included.

A description of the cohort faculty and their projects follows:

Melvin J. Kelley IV, Associate Professor, Law and Business, School of Law and D'Amore McKim School of Business

Project: No Further Fair Housing: Stuck in Transition on the Path to Transformation

Using as its point of departure the fact that segregation rates in housing have remained stagnant, if not heightened, since passage of the 1968 Fair Housing Act, Professor Kelley's research examines whether approaches from the human rights field of transitional justice might lend conceptual muscle to efforts to effectuate the FHA's mandate to proactively redress the harms of segregated housing.

Ana M. Rivera, Associate Clinical Professor and Director, Housing Rights Clinic, School of Law Project: *Housing Discrimination in the Covid Era*

In her experience as a practicing lawyer in the housing rights field, Professor Rivera litigated cases involving new discriminatory practices affecting BIPOC and poor communities. These practices prevailed in the COVID era, and exacerbated exponentially the pressures on renters and recipients of benefits such as Section 8 support. She will consider the permanent damage caused by these effects.

Evan Darryl Walton, Associate Clinical Professor and Director, Community Business Clinic Project: *Hidden Barriers to Small Business Growth and their Disproportionate Effect on BIPOC and Female Entrepreneurs*

In the course of his practice as a business attorney, Professor Walton encountered barriers to business growth in the form of direct and indirect costs that disproportionately impact new entrants in commercial spaces, including his BIPOC business clients. Drawing on his experiences as a practitioner, Professor Walton will examine the effects of these barriers on new entrants through a comparison of the rules and practices of three states. He will examine the impact of costs such as LLC registration, maintenance fee structures, and incentives for economic business zones.

Lily Song, Assistant Professor, Race and Social Justice in the Built Environment, College of Arts, Media and Design

Project: The ARTery: Re-imagining and Re-formulating Spatial Planning and Development <u>with</u> Local Communities in Roxbury

Professor Song's research focuses on the relations between urban infrastructure and redevelopment initiatives, socio-spatial inequality, and race, class, and gender politics in American cities and other decolonizing contexts. The ARTery project seeks to use public art to amplify cultural identity, economic opportunity, and social cohesion among neighborhood residents. Professor Song will work with community-based artists, activists, and small business owners to generate public art. This fellowship will provide the opportunity to consider how spatial planning and design practices can incorporate, deepen, and reflect conversations on reparation and transitional justice.

In addition to the faculty cohort described above, two law faculty members were included with a focus on criminal justice and immigration justice. The faculty members and their projects are:

Rebecca Chapman, Social Justice Teaching Fellow, Legal Services in Social Context Program, School of Law

Project: Jails: The Black Box of Mass Incarceration

As a former public defender in New York City, Rebecca Chapman's work focuses on racialized jail incarceration in New York City, and, secondly and relatedly, the vacuum in rights protection for families exposed to the City's child protective services system. In collaboration with social justice organizations, public defender groups in New York, and her students at NUSL, Professor Chapman will track and report on the effects of individual judicial attitudes on jail incarceration

rates in NYC. As one intervention in the jail-to-prison pipeline, she also proposes to develop empirical and qualitative evidence to support the efforts of the Bronx Defender, a New York public defender organization, to promote state legislation that would protect the right of families to be informed of their legal rights at their first point of contact with workers from the child protection system.

Rachel Rosenbloom, Professor, School of Law

Project: Citizenship for Some: White Nationalism and the Long Roots of the Movement to Restrict Constitutional Birthright Citizenship

Professor Rosenbloom will pursue her book project, *Citizenship for Some, White Nationalism and the Long Roots of the Movement to Restrict Constitutional Birthright Citizenship.* The book will provide the first comprehensive history of efforts to restrict birthright citizenship beginning with the years following ratification of the Fourteenth Amendment. Professor Rosenbloom's work examines debates conducted in a variety of public forums regarding how to interpret the Citizenship Clause and whether to amend it. Further, it explores the more hidden, bureaucratic life of the Citizenship Clause, manifested in agency records, court dockets, personal accounts and other materials relating to the determinations that occur, day in and day out, at borders, airports, immigration courts, State Department offices, county jails, and numerous other sites where citizenship lines are drawn.

Workshop sessions were held with the Faculty Fellows to provide a review and suggestions for refining and strengthening their respective projects. Community presentations of the projects are planned.

STUDENT SUPPORT AND ENGAGEMENT

CLEAR's Criminal Justice Task Force partnered with the law firm Hinkley Allen to support a one year fellowship program for four students to work on several projects in the criminal justice arena, such as alternative approaches to public safety and liability insurance for gun owners. Additionally, the Ralph Gants Fund has supported two fellowships for Northeastern law students in order to increase access to those opportunites for students unable to afford unpaid coops as judicial clerkships.

CLEAR will continue to explore other opportunities through its projects to engage students in the coming year.

COLLABORATIONS – UNIVERSITY PARTNERS

Based on its groundbreaking work on reparations, CRRJ and CLEAR have developed a partnership with the Black Reparations Project at Mills College at Northeastern. CRRJ staff presented on a panel during the Mills College Reparations Conference.

CLEAR's Managing Director was actively engaged in several university activities including serving as a panelist for the John D. O'Bryant African American Institute 2022 Juneteenth Celebration; a panelist on the Daynard Roundtable hosted by the Center for Public Interest Advocacy and Collaboration on Environmental Justice: Case Studies on Policy, Advocacy and Litigation Trends; the moderator of the discussion with Peabody and Emmy Award-winning director Phil Bertelsen and Academy Award-nominated producer Lise Yasui following the preview of the film "The Picture Taker" hosted by NU Alumni Relations; and keynote speaker for the 30th Denise Carty-Bennia Memorial Awards program.

CLEAR has attended and co-sponsored events with the Center on Crime, Race and Justice at the School of Criminology and Criminal Justice, including the Fifth Annual David B. Schulman Distinguished Lecture Series featuring Dr. Katheryn Russell-Brown, the Mabie & Levin Professor of Law, and Director of the Race and Crime Center for Justice at the University of Florida, Levin College of Law.

In partnership with the Program on Human Rights and the Global Economy (PHRGE), CLEAR prepared a submission for the 2023 US visit of the UN Expert Mechanism to Advance Racial Justice and Equality in the context of Law Enforcement on "The Absence of Accountability for Police Violence towards People of African Descent in the United States of America." Another joint submission was made for the Report of the International Independent Expert Mechanism to Advance Racial Justice and Equality in the context of Law Enforcement, pursuant to Human Rights Council Resolution 47/21 on the topic "Two Paths to Reduce Unlawful Police Violence Against People of African Descent in the United States of America: Strengthening Oversight of Law Enforcement and Pursuing Alternative Methods of Policing."

COLLABORATIONS – EXTERNAL PARTNERS

CLEAR has engaged with other racial justice centers to build community and hosted a "Meet and Greet" reception during the 2023 Annual Meeting of the Association of American Law Schools in San Diego, California. CLEAR also attended the Race Center Convening hosted by the Center on Race, Inequality, and the Law at NYU School of Law.

CLEAR's inaugural event was held at the law school on June 1 -2, 2023 and consisted of a convening of racial and social justice centers at law schools and other institutions on the theme "Imperiled Democracy: The Unfinished Promise of Democracy and the Role of Racial Justice Centers." The conference focused on the following objectives:

- 1. Convene racial justice centers and social justice non-profits using law and legal strategies to challenge and/or defend basic constitutional and human rights;
- 2. Discuss the current challenges to the basic constitutional and human rights of Black and other BIPOC communities; and
- 3. Explore creative strategies for legal academics and advocates to promote, defend and ensure those basic rights through research, innovative pedagogy, litigation and other initiatives.

Representatives from over eleven racial justice law centers across the country participated in the conference. There were over 100 viewers of the livestream of the conference. A subcommittee was established to follow-up on some of the recommendations to increase collaborations and support among the centers.

OTHER ACTIVITIES

CLEAR created a newsletter describing its work that will be disseminated on a semi-annual basis. Additionally, CLEAR has established an Advisory Group of NUSL alumni to provide advice and support for its programs.

CIVIL RIGHTS AND RESTORATIVE JUSTICE PROJECT

The current work of CRRJ has been supported by staff paid through grant funding for the past several years. Highlights of the programmatic work for the past fiscal year include the launch of the Burnham-Nobles Digital Archive and the conference that had over 100 in-person attendees consisting of scholars, students, practitioners, and descendants and over 900 online viewers; complimentary activities around the publication of Professor Burnham's book, By Hands Now Known: Jim Crow's Legal Executioners, such as the Frontline Un(re)solved art installation on campus; and a conversation on "Reckoning with Historical Injustice: Journalists at the Frontlines" with Jerry Mitchell, founder of the Mississippi Center for Investigative Reporting, and Erika Howard, Frontline Director of Impact Strategy and External Relations.

Additionally, CRRJ sponsored three workshops focused on methodological, design or theoretical challenges facing scholars working in the area of civil rights and historical injustices. Through its Racial Redress and Reparations Lab (RRRL), CRRJ sponsored two national convenings on reparations. The staff of the RRRL worked closely with public officials, including the Office of the Mayor in Boston, on reparations policies, and it developed a legislative toolkit on the topic.

Among other partnerships, CRRJ worked with the United Church of Christ in Norwell, MA to investigate cases of police killings in Baltimore, MD. Its partnership with Morgan, Lewis & Bockius, LP led the Army Board for Correction of Military Records to change its findings in the 1941 case of Private Albert King. The board found that the soldier was killed in the line of duty.

Two legal fellows, funded by Elizabeth Zitrin, have worked with CRRJ, and participated in events across the University, this year.

CRRJ offered two curricular courses. Twelve students took the CRRJ Clinic, taught by CRRJ staff in Spring 2023. Ten students from across the University took the course, *Historical Injustice and Reparation*, offered by Professor Burnham and a Zitrin Fellow in Spring 2023.

CRIMINAL JUSTICE TASK FORCE

To date, the work of the CJTF has been accomplished through a network of volunteers from the judicial, legal and public policy communities, law enforcement and academia, and student assistants. During the 2021-2022 Massachusetts legislative session, the CJTF was instrumental in working to ensure state funding for a state-wide reentry network program for all individuals released from prison or jail through 19 Community Justice Support Centers. This initiative is the first state-wide reentry program and has the potential to serve as a model for other states. Another initiative of CJTF related to reentry is the creation of a "jail to job" pipeline for returning citizens to help address the issue of recidivism.

With the support of the CJTF, the Massachusetts Executive Office of the Trial Court and the Massachusetts Probation Service's Office of Community Corrections secured a three-year grant for \$900,000 from the US Department of Justice, Bureau of Justice Assistance to develop a High-Tech Career Reentry Path Project as a pilot program. It is anticipated that CJTF will continue to play a role in the project by providing a forum for deliberation and advocacy in the implementation of the reentry project and other reentry programming.

CJTF partnered with the Massachusetts Historical Society to sponsor several online forums addressing racial injustice and its impact on Asian American and Latinx communities. Recently CJTF organized a virtual panel on "Restorative Justice and Criminal Justice Reform" featuring Dennis D. Everett, Jr., Director of Restorative Justice Practices and Training, Massachusetts Executive Office of Public Safety and Security; Susan Maze-Rothstein, Executive Director, Center for Restorative Justice, Suffolk University; and Deborah Ramirez, Professor of Law, Northeastern University; Director, Criminal Justice Task Force; Faculty Co-Director, Center for Law, Equity and Race. As part of its restorative justice work, CJTF will be supporting the training of Massachusetts Superior and District Court judges in restorative justice practices.

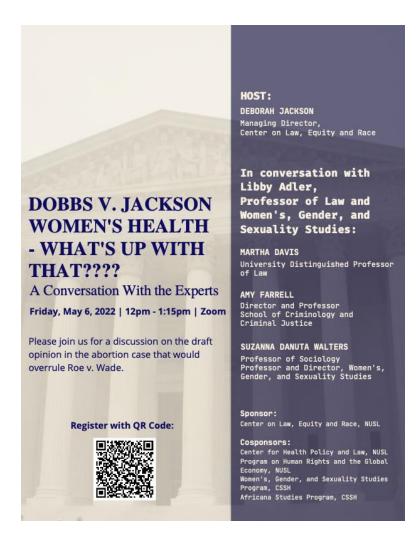
FUND DEVELOPMENT RESULTS AND EFFORTS

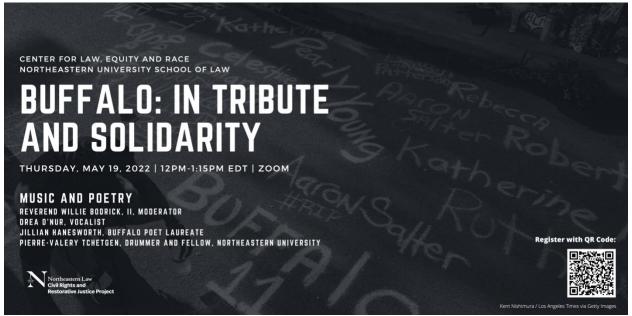
The Civil Rights and Restorative Justice (CRRJ) was successful in its efforts to obtain additional funding from the Ford Foundation in the amount of \$200,000 over two years which has supported the hiring of a Communications Specialist to promote the Burnham-Nobles Archive and the work of CRRJ. Additionally, the Mellon Foundation renewed its support in the amount of \$1 million over three years. These funds are supporting the work of the University library to continue the build out of the Archive and refine the operationalization of the database. CRRJ will be able to engage the full-time services of a historian to research the national and state archives for cases from several of the border states around the Confederacy to expand the scope of the Archive. Further, CRRJ will bring on a Community Leadership Fellow to support its work with community partners and expand the public awareness of the Archive.

The Center for Law, Equity and Race (CLEAR) and its projects, Civil Rights and Restorative Justice (CRRJ) and Criminal Justice Task Force (CJTF), are working with the law school's development staff as well as the university's staff to identify other funding opportunities to broaden and strengthen our impact in the field of racial and social justice.

APPENDICES

SAMPLES OF ACTIVITIES





CENTER FOR LAW, EQUITY AND RACE Research Workshop



Wednesday, August 3, 2022 | 12:45 PM - 2:45 PM | Dockser 250 and Zoom This is an in-person preferred, hybrid event. To register, click <u>here</u> or use the QR code.

Dean James Hackney established the Racial Justice Faculty Fellowship to support the research and writing of Northeastern University School of Law faculty. At this research workshop, the 2022 fellows will discuss their projects.

Regulating the Domain Called Beauty



Mosaic: Who Paid for the Bullet?



The Cradle-to Prison Pipeline (C2P)









VIRTUAL PANEL

Join Professor Deborah Ramirez, Chair of the Criminal Justice Task Force and Faculty Co-Director of the Center for Law, Equity and Race (CLEAR), for a virtual discussion. Guest speakers Susan Maze-Rothstein, Executive Director at the Center for Restorative Justice at Suffolk University, and Dennis D. Everett, Jr., Director of Restorative Justice Practices and Training for the Massachusetts Executive Office of Public Safety and Security, will discuss how the restorative justice paradigm differs from the traditional western legal system.

SPEAKERS

Dennis D. Everett, Jr. Director of Restorative Justice Practices and Training for the



Susan Maze-Rothstein Executive Director, Center for Restorative Justice at Suffolk University



Deborah Ramirez Professor of Law, Northeastern University Chair, Criminal Justice Task Force; Faculty Co-Director, Center for Law, Equity and Race



REGISTER TO ATTEND VIRTUAL EVENT!

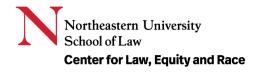














The Absence of Accountability for Police Violence towards People of African **Descent in the United States of America**

For the visit to the United States by the U.N. Expert Mechanism to Advance Racial Justice and Equality in the context of Law Enforcement

April 24 – May 5, 2023

Prepared and submitted by:

Northeastern University School of Law, Center for Law, Equity, and Race (CLEAR), Northeastern University School of Law, Program on Human Rights and the Global Economy (PHRGE), February 2023



Fifth Annual David B. Schulman Distinguished Lecture Series

The Schulman Lecture Series invites prominent scholars, community practitioners, and students to discuss issues on race and justice.

A LOOK AT FLORIDA'S "STOP WOKE ACT": HISTORY, RACE, AND LITERACY



Dr. Katheryn Russell-Brown

Dr. Russell-Brown is the Mabie & Levin Professor of Law, and Director of the Race and Crime Center for Justice at the University of Florida, Levin College of Law. She was Director of the UF Center for the Study of Race and Race Relations (CSRRR) for eighteen years.

Professor Russell-Brown received her undergraduate degree from the University of California, Berkeley, her law de from the University of California, Hastings and her Ph.D. in criminology from the University of Maryland.

Professor Russell-Brown teaches, researches, and writes on issues of race and crime and the sociology of law.



Register here: https://bit.ly/3LngwGB

5:30 PM - 7:30 PM

This is a hybrid event. Attendees will have the opportunity to attend in person or virtually.



Please register for both.

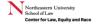
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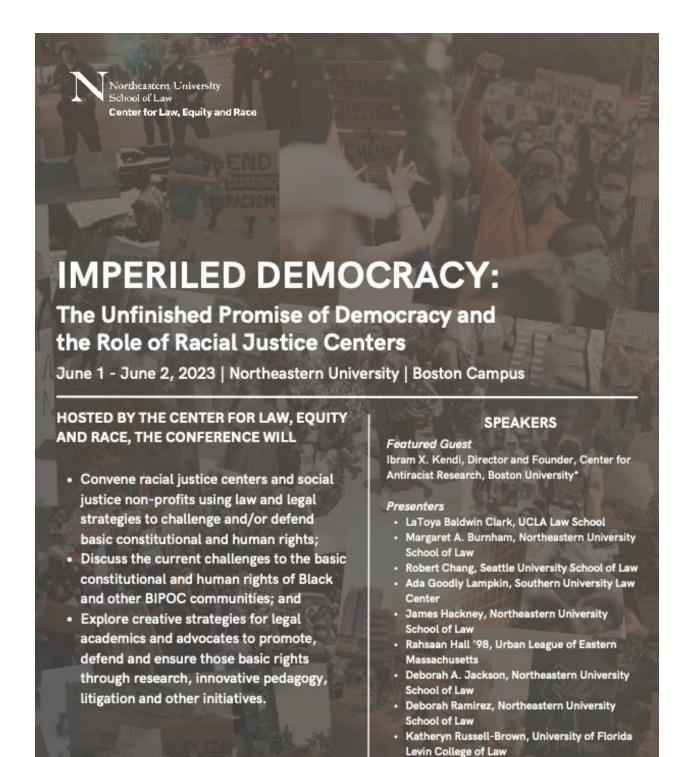
909 Renaissance Park

This event is co-sponsored by The Schulman Fund, the School of Criminology and Criminal Justice, Northeastern University School of Law, and the College of Social Sciences and Humanities.

For more information contact 617-373-4678







Alora Thomas-Lundborg, Harvard Law School
 Jason D. Williamson, NYU School of Law

*For more information on speaker, please visit

www.prhspeakers.com