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EDUCATION

- University of California, Berkeley, LL.M., May, 1999.
All honors and high honors grades. Grade point average: 4.1.
Emphasis: Employment Discrimination, Critical Race Theory, Sexual Harassment, Mediation, Trial Advocacy.
Thesis published, *see* 74 WASHINGTON LAW REVIEW 913-1032 (1999).
- University of Southern California, J.D., May, 1989.
Merit Scholarship. Order of the Coif. Top 2% of class second and third years.
Emphasis: Constitutional Law, Torts.
Research Assistant to Erwin Chemerinsky.
Senior thesis published, *see* 43 VANDERBILT LAW REVIEW 125-159 (1990).
- University of Washington, B.A., English Literature, June, 1986.

PUBLICATIONS

- Constitutionalized Negligence*, 89 WASHINGTON UNIVERSITY LAW REVIEW 1065 (2012).
- Implicit Bias-Motivated Torts*, in *IMPLICIT RACIAL BIAS ACROSS THE LAW* (Justin Levinson & Rob Smith, eds. 2012).
- Do Violent Video Games Harm Children? Comparing the Scientific Amicus Curiae “Experts” in Schwarzenegger v. Entertainment Merchants Association*, 106 NORTHWESTERN UNIVERSITY LAW REVIEW COLLOQUY 1 (2011) (co-authored by Professors Brad J. Bushman and Craig A. Anderson).
- Snyder v. Phelps: A Slice of the Facts and Half an Opinion*, 2011 CARDOZO LAW REVIEW DE NOVO 64.
- Children’s Developmental Vulnerability and the Roberts Court’s Child-Protective Jurisprudence: An Emerging Trend?* 40 STETSON LAW REVIEW 777 (2011) (symposium).
- Snyder v. Phelps, the Supreme Court’s Speech-Tort Jurisprudence, and Normative Considerations*, 120 YALE LAW JOURNAL ONLINE 193 (2010) (Feature Essay).
- Snyder v. Phelps: A Prediction Based on Oral Arguments and the Supreme Court’s Established Speech-Tort Jurisprudence*, 2010 CARDOZO LAW REVIEW DE NOVO 418.

State Actors Beating Children: A Call For Judicial Relief, 42 U.C. DAVIS LAW REVIEW 1165 (2009).

Intentional Sex Torts, 77 FORDHAM LAW REVIEW 1051 (2008).

Elements of Liberty, 61 S.M.U. LAW REVIEW 1557 (2008).

Sex Torts, 91 MINNESOTA LAW REVIEW 769 (2007).

Wrongful Analysis In Wrongful Life Jurisprudence, 55 ALABAMA LAW REVIEW 327 (2004).

Banning Child Corporal Punishment, 77 TULANE LAW REVIEW 575 (2003).

Banning Corporal Punishment: A Constitutional Analysis, 52 AMERICAN UNIVERSITY LAW REVIEW 447 (2002).

Unconscious Bias and Self Critical Analysis: The Case For A Qualified Evidentiary Equal Employment Opportunity Privilege, 74 WASHINGTON LAW REVIEW 913 (1999).

Regulating Violent Pornography, 43 VANDERBILT LAW REVIEW 125 (1990).

SCHOLARLY IMPACT

Published scholarship has been cited over 170 times in law review articles, treatises, federal and state published court opinions, and practice manuals. These include the Harvard Law Review, the Yale Law Journal, the Cornell Law Review, the California Law Review, the Northwestern University Law Review, the University of Chicago Law Review, the Texas Law Review, the University of Pennsylvania Law Review, The New Wigmore: A Treatise on Evidence, the Arizona Practice Series, and the Washington Practice Series, among many other influential publications. Cases that cited scholarship include: *Clark v. Children's Memorial Hospital*, 955 N.E.2d 1065, 1091 (Illinois Supreme Court, 2011), *Nolan v. Memphis City Schools*, 589 F.3d 257, 268, n. 1 (6th Cir. 2009), and *In re J.A.J.*, 225 S.W.3d 621, 629 (Tex. App. – Houston [14th Dist.], 2006). Published scholarship also led to a bill to ban parental corporal punishment, presented by James Marzilli for the State of Massachusetts, as well as author's input (drafting and/or reviewing) state and federal legislation concerning protecting children from corporal punishment.

RESEARCH INTERESTS

Research is interdisciplinary in nature and analyzes relationships concerning tort and First Amendment jurisprudence, hate-motivated behavior, unconscious bias, and the social effects of violent and sexual media on women, children and society. Scholarship combines social science with legal analysis and proposes reform to constitutional, tort, and education policies to further social equality and public health. Current works in progress analyze how to reconcile tort and constitutional policies relative to regulation of dangerous speech, tort regulation of unconscious bias/hate-motivated conduct,

safeguarding children from dangerous media and violence, including corporal punishment, lawyer ethics, and trends in tort and constitutional jurisprudence.

ACADEMIC EMPLOYMENT

University of Houston, Houston, Texas. Spring, 2013.
Visiting Professor. Courses: torts and law office management.

Texas Southern University, Houston, Texas. (2000-present).
Assistant Professor 2000-2004; Associate Professor 2005-2007; Professor 2008-present;
Roberson King Professor of Law, 2011-present. Teaching areas: torts, property,
constitutional law (first amendment and civil rights), mediation, and law practice
management. Created course in 2010: The Constitution, Culture and Children.

Florida State University, Tallahassee, Florida. (Summer & Fall, 2010).
Visiting Professor. Taught constitutional law and torts.

South Texas College of Law, Houston, Texas. (Fall, 2007).
Adjunct Professor. Taught torts to first year law students.

University of Denver, Denver, Colorado. (2003-2004).
Visiting Professor. Taught torts, first amendment law, and family law.

SELECTED RECENT PRESENTATIONS & SCHOLARLY PAPERS

Plenary Speaker, 2013 National Council on Family Relations 2013 Annual Conference.
Conference theme: Well-Being of Children and Youth in Families and Communities.
San Antonio, Texas. November 6, 2013 (forthcoming).

Presenter, *Implicit Bias-Motivated Torts*, chapter from *IMPLICIT RACIAL BIAS ACROSS THE LAW* (forthcoming, Cambridge University Press, June, 2012). Harvard Law School. June 14, 2012 (available on CSPAN).

Panelist, *Implicit Bias-Motivated Torts*, chapter from *IMPLICIT RACIAL BIAS ACROSS THE LAW* (forthcoming, Cambridge University Press, June, 2012). Law and Society Conference, Honolulu, Hawaii. June 7, 2012.

Presenter, *Brown v. Entertainment Merchants Association: The Supreme Court's Opinion, the Scientific Data, and the Social Implications*. Presented at CLE luncheon at the Houston City Club. October 11, 2011.

Changing Disciplinary Choices by Changing Social Norms. Paper presented at the Global Summit on Ending Corporal Punishment and Promoting Positive Discipline, Dallas, Texas, June 2, 2011, available at <http://smu.edu/psychology/html/globalSummit.html>.

Outlawing School Paddling: The Efficacy of Existing Methods. Paper presented at the Global Summit on Ending Corporal Punishment and Promoting Positive Discipline, Dallas, Texas, June 2, 2011, available at <http://smu.edu/psychology/html/globalSummit.html>.

Panelist, *Free Speech and the Role of Torts*, Free Speech and Civil Discourse in the 21st Century, Charleston School of Law, Charleston, North Carolina, February 18, 2011.
Children's Developmental Vulnerability & The Roberts Court's Child-Protective Jurisprudence. Paper presented at the Constitutional Law Discussion Forum, University of Louisville, Louisville, Kentucky, December 15, 2010.

Panelist, *Schwarzenegger v. Entertainment Merchants Association*, American Constitution Society Supreme Court Preview, Florida State University, Tallahassee, Florida, September 30, 2010 (one of three faculty panelists chosen by the students).

The Roberts Court, The First Amendment and Children. Research presented at the Southeastern Association of Law Schools 63rd Annual Meeting, Palm Beach, Florida, August 2, 2010.

School Paddling: The State of American Law, UNITED STATES OF AMERICA, BRIEFING FOR THE HUMAN RIGHTS COUNCIL, UNIVERSAL PERIODIC REVIEW 9th Session, 2010-04-19 (2010), available at http://lib.ohchr.org/HRBodies/UPR/Documents/session9/US/EPOCH_USA.pdf.

Mass Media and Children: Revisiting the Balance of Rights. Paper presented as part of Michigan State University's 2009-2010 Distinguished Speaker Series, East Lansing, Michigan, March 24, 2010.

Ethics of Dogma, Ethics of Greed: How Public and Private Actors are Ignoring Science and Depriving American Youth of Life, Liberty, and Happiness. Paper presented at Children At Risk's 2009 Children's Law Symposium, Houston, Texas, October 16, 2009. Paper published as part of the CLE materials and is on file with the author.

Panelist, *Law and Pornography*. Southeastern Association of Law Schools 62nd Annual Meeting, Palm Beach, Florida, August 3, 2009.

Reforming American Sex Tort Law. Paper presented at the 1st Global Conference, Good Sex Bad Sex: Sex Law, Crime and Ethics, Budapest, Hungary, May 5, 2009. Paper is published on the Inter-disciplinary.net website and is available at <http://www.inter-disciplinary.net/wp-content/uploads/2009/04/gsbs1sacks.pdf>.

SERVICE

Local Station Board Member, KPFT, Houston (Pacifica Radio). Elected December, 2012.

Producing and hosting 30 minute radio shows on KPFT's Open Journal. Issues concern children, society, first amendment law, and tort law.

Served on the Rank & Tenure Committee. Previously chaired the Faculty Scholarship and Development Committee, and served on various other committees for Texas Southern University, including the Faculty Appointments Committee.

Currently serving as the Chair of the Legal Committee and as an Advisory Board Member for EPOCH-USA (End Physical Punishment of Children, USA) and serving on the board of PTAVE (Parents and Teachers Against Violence in Education).

Worked on original draft, House Bill 5628 (September, 2009). The bill proposes to deny funding to schools that continue to discipline students with corporal punishment. The bill was introduced by Carolyn McCarthy (NY) in 2010, has been reintroduced, and is currently pending (referred to committee). The bill is currently titled H.R. 3027: Ending Corporal Punishment in Schools Act of 2011.

Amicus Brief, *Hunter v. Hunter*, 484 Mich. 247, 771 N.W.2d 694 (2009). Amicus argued that the trial court's finding that the children's custodians' use of corporal punishment did not cause lasting injury was erroneous, and provided the court with research on the harmful effects of corporal punishment. The biological mother on whose behalf the amicus brief was filed succeeded in obtaining remand of the "best interests" analysis that supported the trial court's termination of her parental rights and ultimately regained custody of her children.

Reviewed draft bills and/or testified before legislative committees regarding bills proposed by Alma Allen in Texas and James Marzilli in Massachusetts to ban public school paddling and parental spanking, respectively, 2005.

OTHER LEGAL EXPERIENCE

The *Elected* Los Angeles Charter Reform Commission, Los Angeles, California (1998). Policy analyst. Researched and analyzed issues relating to city government policy, including balance of power issues and constitutional issues, under the direction of Erwin Chemerinsky. The new charter was passed by the Los Angeles voters on June 8, 1999.

Davidson, Czeisler, Kilpatric & Zeno, Kirkland, Washington (1995-1997).
Litigation associate in general practice, employment, and real estate firm.

Law Offices of Richard A. Love, Los Angeles, California (1992-1994).
Litigation associate in plaintiff's employment discrimination firm.

Levin, Stein & Chyten, Los Angeles, California (1992).
Associate attorney in litigation department.

Greenfield & Chimicles, Los Angeles, California (1991).
Associate attorney in Pennsylvania-based plaintiffs' class action firm.

Erwin, Cohen & Jessup, Beverly Hills, California (Summer, 1989 & 1990).
Summer associate and associate attorney in litigation department.

PROFESSIONAL ASSOCIATIONS

Advisory Board Member and Chair of the Legal Committee, End Physical Punishment of Children, USA (EPOCH-USA), Columbus, Ohio (since 2005).

Board of Directors, Parents and Teachers Against Violence in Education (PTAVE), Alamo, California (since 2007).

Admitted to the California Bar and the Ninth Circuit, 1989.

Admitted to the Eleventh Circuit, 1991.

Admitted to the Washington Bar, 1994.

Pro Bono Publico Service Commendation, Washington State Bar Association (2007).

SELECTED MEDIA APPEARANCES

KPFT 90.1 Radio for Peace. Producing and hosting 30 minute radio shows on Open Journal segment, concerning children's issues, social issues, bullying, free speech, constitutional law, and tort law. 2011-present.

Let's turn off video games that inflict harm on kids. Op-Ed, Houston Chronicle, July 17, 2011 (Page B 9).

How Protected Is Free Speech? Article, WorldPress.org. Available at <http://www.worldpress.org/Americas/3649.cfm> (November 7, 2010).

TXA 21 News/CBS 11 News (Dallas). Appeared live to debate whether corporal punishment should be reinstated in the Dallas Independent School District. (Filmed in Tallahassee, FL, May 12, 2010).

MSNBC (New York). Appeared live on Dan Abrams's show to debate James Marzilli's proposed Massachusetts legislation to prohibit parental spanking. (Filmed in Houston, TX, November 28, 2007).

Fox News Channel (New York). Appeared live on various virtual roundtable national news segments. (Filmed in Houston, TX, 2005-2008).

New England Cable News Network (Boston). Debated Chester Darling live on Amanda Rosseter's talk show regarding proposed spanking bill, religious rights, and parental rights. (Filmed in Boston, MA, January 14, 2005).

KUSA Channel 9 News (Denver). Appeared on "@ISSUE" news segments on topics such as children's rights, liability for sexual disease, and unconscious racial bias relating to Kobe Bryant's rape charges in Eagle County. (Filmed in Denver, CO, 2003-2004).

KRIV Fox 26 News at Nine (Houston). Various appearances relating to legal topics such as civil liability for transmitting a sexual disease, the Bush v. Gore lawsuit, and the Americans with Disabilities Act. (Filmed in Houston, TX, 2000-2010).

Spare the rod and spoil regressive spanking bill. Op-Ed, Houston Chronicle, February 1, 2005 (Page B 7).

REFERENCES

Dean Erwin Chemerinsky – U.C. Irvine School of Law (949) 824-7722.
Dean Dan Holley – Texas Southern Univ. School of Law (713) 313-7388.
Professor Tom Kleven – Texas Southern Univ. School of Law (713) 313-7355.
Professor Fred Galves – Univ. of the Pacific McGeorge School of Law (916) 248-3051.
Professor John Brittain – University of the D.C. School of Law (202) 274-6443.
Professor Constance Fain – Texas Southern Univ. School of Law (713) 313-7393.
Associate Dean Wayne Logan – Florida State Univ. College of Law (850) 644-7273.
Associate Dean Asmara Tekle – Texas Southern Univ. School of Law (832) 621-5645.
Professor Craig Anderson – Iowa State University (515) 294-3118
Professor Robin Craig – Florida State Univ. College of Law (850) 644-0726.
Professor Angela Harris – U.C. Berkeley/Univ. at Buffalo Law School (716) 645-6216.
Professor Bryan Liang – U.C.S.D. Med. School/California Western (619) 515-1568.
Mary Ricketson – Dean Emeritus, Univ. of Denver College of Law (303) 871-2000.
Professor Robert Hardaway – Univ. of Denver College of Law (303) 871-6310.