# DONALD F. TIBBS

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### PROFESSIONAL PROFILE

Current Position: Associate Professor of Law

Research Interest: Civil Rights/Black Power Legal History; Critical Race Theory; Law and Hip

Hop; Race and Punishment.

Teaching Interest: Criminal Law; Criminal Procedure; Critical Race Theory, Law and Hip Hop.

**EDUCATION** 

LL.M. 2007 University of Wisconsin Law School, Madison, WI

Thesis Title: Inmate Discipline In Wisconsin: How Law "Works" Behind Prison Walls

Thesis Committee: Walter Dickey, Peter Carstensen, Gerald Thain

PhD 2004 School of Justice and Social Inquiry

Interdisciplinary Ph.D. Program, Committee on Law and the Social Sciences

Arizona State University, Tempe, AZ

Dissertation Title: Black Power and Prison Power: The Prisoner Union Movement in North Carolina, 1968-1979 Dissertation Committee: Thomas J. Davis (Chair), James Riding In, Cheree Carlson, Peniel Joseph

J.D. 1996 University of Pittsburgh School of Law, Pittsburgh, PA

Graduating Paper: Fear of Black Crime: More on Stereotypes and Black Male Criminality

Graduating Committee: Kevin Deasy (Chair), Jody Armour, Robert Harper

B.S. 1990 Department of Criminal Justice

Georgia State University, Atlanta, GA

Senior Thesis: Victim Solidarity: Investigating Crimes for the Fulton County Public Defender's Office

Senior Advisor: James L Maddex, Jr.

My research interests include: race and the law; civil rights/black power legal history; law and popular culture; difference and power; law and punishment; racial capitalism, Marxist theory, and black radicalism; social movements and cultural resistance; incarceration, criminalization, law and social control.

My approach to teaching comes out of a commitment to education as praxis for freedom. I draw from three related traditions of praxis. First, holistic legal pedagogy, which recognizes that there is a direct connection between how students feel and how they learn, underscoring the necessity of dealing with students' complex lives in order to create environments where creativity, compassion, and critical thought can flourish. Secondly, adult transformative education in which people seeking to make life changes (e.g., addiction, disease status, political empowerment) require a delicate balance between leadership and freedom, revealing how student development comes only by living this tension through open dialogue. Finally, I am instructed in my teaching by the praxis of liberation movements, or the praxis of freedom, which finds that social change can never occur when teachers pretend to be the exclusive subjects of knowledge and power, thus reducing students to mere objects; rather, growth happens when all who are involved help each other mutually, sharing the effort to understand the reality they seek to transform.

### UNIVERSITY ADMINISTRATION

Director

Institute for Civil Rights and Justice

Southern University Law Center, Baton Rouge, LA, Fall 2005 - Spring 2008

Responsible for Managing Institute Programs, Curriculum, Speakers' Series, and Budget

### LEGAL EXPERIENCE

Research Associate, Civil Rights Division

Law Offices Of Pamela A. Hunter & Associates, Charlotte, North Carolina, 1996-1998

Intern, Neighborhood Legal Services (assigned to Law Offices of Ed Feingold), Pittsburgh, PA, 1995

Intern, Office of General Counsel, University of Pittsburgh, Pittsburgh, PA, 1994

Research Assistant, Dean. W. Edward Sells, Professor Emeritus, University of Pittsburgh School of Law, Summer 1994 - Spring 1996

### **TEACHING**

Associate Professor of Law

Drexel University School of Law, Philadelphia, PA, Fall 2008 - Present

Law 625 Criminal Procedure

Law 612 Criminal Law

Law 849 Critical Race Theory

Law 849 Hip Hop and the Law

Assistant Professor of Law

Director, Institute for Civil Rights and Justice

Southern University Law Center, Baton Rouge, LA, Fall 2005 - Spring 2008

Law 404 Criminal Law

Law 419 Criminal Procedure

Law 623 Civil Rights

#### Lecturer

Department of Criminal Justice University of North Carolina at Charlotte, Charlotte, NC, Spring 2003 CJUS 6000 Ethics in Criminal Justice

### Lecturer

Department of African American Studies
Arizonal State University, Tempe, AZ, Summer(s) 2000, 2001, 2002
Developed original syllabus for each course
AFR 394 Stereotypes, Prejudice, and the Law
AFR 394 Law and Racial Identity Resistance
AFR 394 Supreme Court, Race, and Civil Rights

### Lecturer

School of Justice and Social Inquiry Arizona State University, Tempe, AZ, Spring 2000 Developed original syllabus for the course JUS 394 Critical Race Theory

Graduate Teaching/Research Assistant

Arizona State University, Tempe, AZ

Dr. James Riding-In, History of Civil Rights, JUS 301, Fall 2000 Dr. Peg Bortner, Introduction to Justice Studies, JUS 101, Fall 1999 Marjorie Zatz, "Anti-Gang Statutes and Racial Politics," Fall 1998

### Guest Lectures

"Remembering Your Rights: Talking Through the Fourth Amendment with the Local Police," Science Leadership Academy, in conjunction with the Marshall-Brennan Program, Drexel University Earle Mack School of Law, November 3, 2010.

"From Beyond the Color Line: Dubois, Mexican Immigrants, and the Fourth Amendment"

Sonoma State University, Current Issues in Criminal Justice: The Politics of Policing, Sonoma, CA, April 2, 2009

"What Huey P. Newton Taught Us About Law and Black Power" San Quentin Prison, San Quentin, CA, April 2, 2009

"Thinking Critically About Law and Legal Education: From Legal History to Critical Race Theory" Drexel University School of Law, Orientation Fall 2008 (Invited by Director Jennifer Rosato)

"Race and the Law." Introduction to Sociology 101 University of Wisconsin, Madison, WI, Spring 2004 (Invited by Professor Matthew Desmond)

"Reasonable Racism and the Racial State." Race, Gender and Class 301 Long Beach State University, Long Beach, CA, Spring 2001 (Invited by Professor Tryon Woods)

"Race Matters: Cornell West on Understanding of the Problem of the Color Line." History of Civil Rights 301, Arizona State University, Tempe, AZ, Fall 2000 (Invited by Dr. James Riding-In)

"Jim Crow Politics and the Racial State, 1910-1921." History of Civil Rights 301 Arizona State University, Tempe, AZ, Fall 2000 (Invited by Dr. James Riding In)

"Race-ing To Law School: Being a Student of Color in Law School." Black Student's Pre-Law Association, Arizona State University, Tempe, AZ, Fall 1999 (Invited by Alpha Kappa Alpha Sorority, Inc.)

"Understanding the Feminist Voice: Rape, Gangs, and Race." Critical Race Feminism 494 Arizona State University, Tempe, AZ, Fall 1999 (Invited by Professor Sahi Kil)

"Racial Themes in Justice Studies." Introduction to Justice Studies 105 Arizona State University, Tempe, AZ, Fall 1999 (Invited by Dr. Peg Bortner)

"Where Does Critical Race Theory Fit in Justice Theory? Justice Theory 301 Arizona State University, Tempe, AZ, Spring 1999 (Invited by Dr. Marjorie Zatz)

### **PUBLICATIONS**

### **BOOKS**

FROM BLACK POWER TO PRISON POWER: The Making of Jones v. North Carolina Prisoners' Labor Union (Palgrave MacMillan Press, January 2012)

**READING HIP HOP, READING LAW:** A Law Professor's Reflection on Race, Rights, and the American Constitution (manuscript in progress).

#### ARTICLES

"From Black Power to Hip Hop: Discussing Anti-Blackness, Policing, and the Fourth Amendment Through the "War On" Paradigm," 15 J. GENDER, RACE, & JUST. \_\_\_\_ (Spring 2011)

"Who Killed Oscar Grant?: A Legal-Eulogy of the Cultural Logic of Black Hyper-policing in the Post-Civil Rights Era," 1 S.U. J. RACE, GENDER, AND POVERTY 1-33, (2010).

"The Jena 6 and Black Punishment: Law and Raw Life in the Domain of Non-Existence" 7 SEATTLE J. SOC. JUST. 235-283 (2008)

"Peeking Behind the Iron Curtain: How Law 'Works' Behind Prison Walls," 67 S. CAL. INTER. L. J.137-182 (2006)

# WORKS IN PROGRESS

"Critical Race Theory, Ice Cube, And Gangsta Rap: The Funky Methodology of Interrogating Law and Black Life in the Post-Civil Rights Era," (expected Spring 2012).

"I Don't Rhyme For the Sake of Riddling: When Jay Z Speaks, Law Listens," (in progress).

"Law, Hip Hop, and American Criminal Justice: Between Anti-Snitching, Gangsta Rap, and the Fifth Amendment," (in progress)

# BOOK REVIEWS, ENCYCLOPEDIA ENTRIES, AND OTHER MISCELLANEOUS PUBLICATION

Review Essay: Julie Novkov, RACIAL UNION, LAW, INTIMACY, AND THE WHITE STATE IN ALABAMA, 1865-1954 (Ann Arbor: University Press, 2008).

"Huey P. Newton and Bobby Seale," (with Thomas J. Davis), ICONS OF BLACK AMERICA (Greenwood Press, 2009).

"Judge Nathianiel R. Jones," AFRICAN AMERICAN NATIONAL BIOGRAPHY (Oxford University Press (2007)

"<u>Iones v. North Carolina Prisoners' Labor Union, Inc.</u>, 433 U.S. 119 (1977)," ENCYCLOPEDIA OF THE SUPREME COURT OF THE UNITED STATES (MacMillan-Thompson 2008)

"Pollock v. Williams, 322 U.S. 4 (1944)," ENCYCLOPEDIA OF THE SUPREME COURT OF THE UNITED STATES (MacMillan-Thompson 2008)

"Taylor v. Georgia, 315 US. 25 (1942)," ENCYCLOPEDIA OF THE SUPREME COURT OF THE UNITED STATES (MacMillan-Thompson 2008)

### PRESENTATIONS, FORUMS, and KEYNOTE ADDRESSES

"Hip Hop and the Law," Black Law Students Association, Earle Mack School of Law Diversity Awareness Week 2011, Philadelphia, Pennsylvania, March 9, 2011.

"Owed to Black Power: Hip Hop, Gangsta Rap, and Anti-Blackness in American Law," Cultural Studies Association, Chicago, Illinois, March 25, 2011.

"From Black Power to Hip Hop: Discussing Anti-Blackness, Policing, and the Fourth Amendment Through the "War On" Paradigm," 15<sup>th</sup> Annual Symposium for the Journal of Gender, Race, and Justice, Iowa City, Iowa, March 5, 2011.

"Knowledge Reigns Supreme Over Nearly Everybody: Black Power, Hip Hop, and the Colorblindness of the Boyz in the Hood," Third National People of Color Conference, Seton Hall University, Newark, New Jersey, September 10, 2010.

"Law, Literature, and Hip Hop: Native Sons, Black Souls, Invisible Men, and Jay Z," Southeastern Association of Law Schools Annual Conference, West Palm Beach, Florida, August 2, 2010.

"Who Killed Oscar Grant?: A Legal-Eulogy of the Cultural Logic of Black Hyper-policing in the post-Civil Rights Era,"

- Panel: State of the Union: The Progress Report, First Annual Symposium Journal of Race, Gender, and Poverty, Southern University Law Center, Baton Rouge, Louisiana, February 19, 2010.
- Panel: "Law and Culture: Self, Community, and State," Thirteenth Annual Conference for the Study of Law, Culture, and the Humanities, Brown University, Providence, Rhode Island, March 19, 2010.

"A Bigger's Dilemma: Richard Wright's Native Son, Bigger Thomas, and the Influence of Jim Crow Segregation on Protest Literature," Southeastern Association of Law Schools Annual Conference, West Palm Beach, Florida, August 3, 2009.

"More Than Free Speech, Black Power: Race and Radicalism in Jones v. North Carolina Prisoners' Labor Union," *Africana Studies Speaker Series*, Drexel University, Philadelphia, PA, June 2, 2009.

"E-racing Invisibility: Richard Wright's Lessons on Punishing the Black Body in *Native Son*" SE/SW People of Color in Legal Scholarship, Phoenix, Arizona, March 26 – 29, 2009

"Teaching (Law) to Transgress: Abolitionist Strategies in Legal Education," Critical Resistance 10 Annual Meeting, Oakland, CA, September 26 – 28, 2008

"From Grassroots to Prison Suits: The Hidden Issue of Race and Black Power in Jones v. North Carolina

Prisoners Labor Union," Southeastern Association of Law Schools Annual Meeting, Amelia Island, Florida, July 30 - August 4, 2007

"American with Disabilities Act Compliance: Access and Inclusion at Post-Secondary Institutions" KEYNOTE SPEAKER: Recent Trends in Disability Law: What You Need to Know, Louisiana Community and Technical College System, Baton Rouge, LA, June 23, 2007

"The State of the Black Law Student" The Black Law Students Association in Louisiana Law Schools, Baton Rouge, LA, April 23, 2007

"Doing' Legal History Behind Prison Walls: Law and the Inmate Disciplinary Process." Southeastern Association of Law Schools, Annual Meeting, West Palm Beach, FL, June 16-22, 2006

"Racism, Classism, and State-Sponsored Social Control" Law and Society Association Annual Meeting Chicago, IL, May 30, 2004

"Talking About a Revolution: <u>Jones v. North Carolina Prisoners' Labor Union</u>, 433 U.S. 119 (1977) in Legal-Historical Context." *J. Willard Hurst Summer Institute in Legal History*, University of Wisconsin-Madison Law School, Madison, WI, June 8-21, 2003

"All the Prison Has is a Body: Black Prisoner Intellectuals and the Political Prisoner Movement in the United States" 5<sup>th</sup> Annual Osgoode Graduate Students Conference, Osgoode Hall Law School, Toronto, Ontario Canada, May 8-9, 2003

"The Prisoner Union Movement in Black and White: A Forgotten Jewel in a Turbulent Time." *The Sixties: Style and Substance Interdisciplinary Conference*, University du Quebec Montreal, Montreal, Quebec, Canada, November 6-8, 2003

"It Takes a Nation of Millions to Hold Us Back!: Prisoner Politics and the Radical Prisoner Union Movement in North Carolina" Southwest Labor Studies Association Conference, Los Angeles, CA May 9-11, 2002

"Cruel and (Un) Usual Punishment: Police Violence and Jury Nullification in Cases Involving Black Male Criminality." *Justice in African American Studies*, Conference on African American Research Lecture Series (CAAR), Arizona State University, Tempe, AZ., February 12, 2000

"Fear of Black Crime: More on Bayesians, Stereotypes and Black Male Criminality in the Courtroom." Africans in the Americas: Past, Present, and Future: Ninth Annual Africa/Diaspora Conference: Center for African Peace and Conflict Resolution, California State University, Sacramento, CA. May 4-6, 2000

"We Don't Live in This Courtroom: Post-Modern (UN)Reasonableness in the Twenty First Century." National Association of African American Studies National Conference, Houston, TX, February 21-26, 2000.

### FELLOWSHIPS, AWARDS, and PROFESSIONAL HONORS

Award. Drexel University Career Development Award, Drexel University, Philadelphia, PA (June 2011).

Award. DEAN JENNIFER L. ROSATO EXCELLENCE IN THE CLASSROOM AWARD, Drexel University Earle Mack School of Law, Philadelphia, PA (May 2011)

Fellow. HARRY S. GOLDEN VISITING CIVIL RIGHTS SCHOLAR, University of North Carolina at Charlotte, Charlotte, North Carolina, (June 2007)

Fellow, WILLIAM H. HASTIE LAW TEACHING FELLOWSHIP, University of Wisconsin-Madison Law School, Madison, Wisconsin (January 2004-August 2005)

Fellow, J. WILLARD HURST SUMMER INSTITUTE IN LEGAL HISTORY, Institute for Legal Studies at University of Wisconsin-Madison Law School, Madison, Wisconsin (June 2003)

Fellow, PREPARING FUTURE FACULTY, Arizona State University, Tempe, Arizona (August 1999-May 2001)

Fellow, GRADUATE COLLEGE ACADEMIC SUPPORT PROGRAM, Arizona State University, Tempe, Arizona (August 1998 - May 2001)

SHEILAS. SKIPPER OUTSTANDING GRADUATE STUDENT, Arizona State University, Tempe, Arizona (2001)

## **GRANTS**

"Hip Hop and the American Constitution: Critical Learning, Pedagogy, and Interpretation of American Law, Drexel University Career Development Award, Fall 2011-Spring 2012. Funded: \$7,500. Matching grant (100%) from the Earle Mack School of Law.

"From Black Power to Hip Hop: Discussing Anti-Blackness, Policing, and the Fourth Amendment Through the "War On" Paradigm," Faculty Research Grant, Drexel University Earle Mack School of Law, Summer 2011. Funded: \$15,000.

Status: 15 J. GENDER, RACE, & JUST. \_\_\_\_ (Summer 2011)

"Who Killed Oscar Grant?: A Legal-Eulogy of the Cultural Logic of Black Hyper-policing in the Post-Civil Rights Era," Faculty Research Grant, Drexel University Earle Mack School of Law, Summer 2010. Funded: \$15,000.

Status: 1 J. RACE, GENDER & POV. 1-33, (2010).

"From Black Power to Prison Power: The Making of Jones v. North Carolina Prisoners' Labor Union," Faculty Research Grant, Drexel University Earle Mack School of Law, Summer 2009. Funded: \$15,000 Status: FORTHCOMING JANUARY 2012 PALGRAVE MACMILLAN PRESS.

"The Jena 6 and Black Punishment: Law and Raw Life in the Domain of Non-Existence," Faculty Research Grant, Drexel University Earle Mack School of Law, Summer 2008. Funded: \$10,000 Status: 7 SEATTLE J.SOC.JUST.235-283 (2009)

Research on Hip Hop and the Law, Faculty Research Grant, Southern University Law Center, Summer 2007. Funded: \$10,000

Status: Completed

"Peeking Behind the Iron Curtain: How Law 'Works' Behind Prison Walls," Faculty Research Grant, Southern University Law Center, Summer 2006. Funded: \$10,000 Status: 67 S. CAL. INTER. L. J.139 (2006)

### **CONFERENCE WORK**

Member, Program Committee, Annual Meeting, American Society of Legal History, Atlanta, GA, November 10-13, 2011.

Chair, Local Accommodations Committee, Annual Meeting, American Society of Legal History, Philadelphia, PA, November 18-21, 2010.

Panel Moderator, Author's Roundtable, Our Country, Our World in a Post-Racial Era, 3<sup>rd</sup> National People of Color in Legal Scholarship Conference, Seton Hall Law School, Newark, NJ, September 9-12, 2010.

Chair, Student Writing Competition, Equality and Justice in the Obama Era, Southeast/Southwest People of Color Legal Scholarship Conference, University of South Carolina Law School, Colombia, SC, March 25-28, 20010

Chair, Student Writing Competition, At the Intersection: Culture, Race & Class, Southeast/Southwest People of Color Legal Scholarship Conference, Phoenix Law School, Phoenix, AZ, March 26 – 29, 2009. Panel Moderator, "Applied Legal History," Southeastern Association of Law Schools, West Palm Beach, FL, July 26 – August 3, 2008.

Panel Chair, "The Jena 6 and the Era of Civil Rights and Black Power," Teaching for Change: Training Leaders in the Social Justice Movement, Southeast/Southwest People of Color Legal Scholarship Conference, North Carolina Central University School of Law, Durham, NC, April 11-13, 2008.

Chair, Student Writing Competition, Teaching for Change: Training Leaders in the Social Justice Movement, Southeast/Southwest People of Color Legal Scholarship Conference, North Carolina Central University School of Law, Durham, NC, April 11-13, 2008.

Panel Chair, "Racism, Classism, and State-Sponsored Social Control," Law and Society Annual Meeting, Chicago, IL, May 30, 2004.

Panel Moderator, "Shades of Darkness: Thinking Critically About the Problem of the Color Line," Roundtable Discussion on Intra-Group Racism, Alpha Kappa Alpha Sorority, Inc., Arizona State University, February 15, 2001.

Panel Moderator, "Racial Politics and Social Control within the Legal System," 2<sup>nd</sup> Annual Interdisciplinary Conference, University of Southern California, April 15, 2000

Panel Moderator, "Economic Exclusion, Public Control, and the Hidden Apartheid." National Conference on Prison and Welfare Policies, Arizona State University, Tempe, AZ, April 8-9, 1999.

## UNIVERSITY SERVICE

### DREXEL EARLE MACK SCHOOL OF LAW

Faculty Advisor, CRIMINAL LAW SOCIETY, Drexel University Earle Mack School of Law, 2010-Present.

Faculty Advisor, BLACK LAW STUDENTS ASSOCIATION, Drexel University Earle Mack School of Law. 2008-Present.

Moderator, Yes We Can: American Civil Rights from Martin Luther King, Jr. to President Obama, Drexel University Office of Multi-Cultural Diversity, January 18, 2009.

Faculty Advisor, Twentieth Annual Criminal Procedure Moot Court Competition, San Diego, CA., October 16-18, 2008.

Member, Faculty Appointments Committee, Drexel University Earle Mack School of Law, Philadelphia, PA, Fall 2008

#### SOUTHERN UNIVERSITY LAW CENTER

Chair, Formation Committee, Journal of Race, Gender, and Poverty, Southern University Law Center, Baton Rouge, LA, Fall 2007

Chair, Formation Committee, Marshall-Brennan Project in Constitutional Literacy, Southern University Law Center, Baton Rouge, LA, Spring 2008

Faculty Advisor, Journal of Race, Gender, and Poverty, Southern University Law Center, Baton Rouge, LA, Spring 2008

Faculty Advisor, Black Law Students Association, Southern University Law Center, Baton Rouge, LA, Fall 2006 – Spring 2008

Faculty Advisor, Phi Alpha Delta Law Fraternity, Southern University Law Center, Baton Rouge, LA Fall 2005 - Spring 2008

Organizer - Meet the Author: Debating Politics and Race with American Civil Rights Authors, Southern University Law Center, Baton Rouge, LA, Fall 2006

Dr. Albert Samuels, Associate Professor of Political Science, Southern University <u>Is Separate Unequal: Black Colleges and the Challenges to Desegregation</u> (University of Kansas Press, 2004)

Dr. Thomas J. Davis, Professor of Law and History, Arizona State University, Tempe, AZ, Race Relations in America: A Reference Guide with Primary Documents (Greenwood Press, 2006)

Organizer - Preserving the Power: Protecting Katrina Voting Rights and Renewing the Voting Rights Act. A Symposium on the Aftermath of Hurricane Katrina, Southern University Law Center. Baton Rouge, LA, March 24-26, 2006

### **MEMBERSHIPS**

Executive Committee (Chair) Southern/Southwestern People of Color in Legal Scholarship Executive Committee (Chair) American Society for Legal History (ASLH)
Law and Society Critical Research Network on Race and Law
Society for the Study of Social Problems (SSSP)
Society for Law Teachers (SALT)

### REFERENCES

Available upon request.