

# OMAVI SHUKUR

## ACADEMIC APPOINTMENTS

### **University of Maryland Francis King Carey School of Law**

Assistant Professor, Summer 2024-Present

Courses: Criminal Law, Criminal Procedure I, Critical Race Theory

### **Columbia Law School**

Associate Research Scholar and Lecturer, Spring 2021-Spring 2024

Courses: Abolition Practicum, The Criminalization of Black Resistance

### **New York University School of Law**

Adjunct Professor, Spring 2023, Spring 2024

Course: Critical Race Theory

### **Harvard Law School**

Instructor, Winter 2018, Winter 2019, Winter 2023

Course: Trial Advocacy Workshop

### **William H. Bowen School of Law**

Adjunct Professor, Spring 2018

Course: Critical Race Theory

## EDUCATION

### **Harvard Law School**

J.D., 2012

### **Columbia University**

B.A., Political Science, 2009

## ACADEMIC PUBLICATIONS

*Punishing Involuntary Resistance*, 113 Geo. L. J. (forthcoming, 2024) This work-in-progress argues that voluntariness should be an explicit, essential element of criminal offenses that proscribe resisting arrest. This intervention would reduce involuntary resisters' exposure to the harms of criminal punishment by requiring prosecutors to prove voluntariness beyond a reasonable doubt. It would also force factfinders to confront the sheer violence of arrests and the fear-inducing features of punitive and racially subordinating policing.

This paper reveals how voluntariness is not treated as an essential element of resisting offenses, despite voluntariness being a fundamental component of criminal responsibility. This requirement is particularly salient in resisting cases because, in some instances, people may involuntarily resist arrest. This contention is supported by psychological and other scientific literature regarding the emotional, physiological, and behavioral components of involuntary stress responses, such as flight or fight.

*The Criminalization of Black Resistance to Capture and Policing*, 103 B.U. L. REV. 1 (2023)

- Cited in Bennett Capers, Roger A. Fairfax Jr., Eric J. Miller, CRIMINAL LAW: A CRITICAL APPROACH 1009 (W. Acad. 2023)

[\*Arkansas's Manufactured Incarceration Crisis\*](#), 7 ARK. J. OF SOCIAL CHANGE & PUBLIC SERVICE 1 (2017)

## MAINSTREAM ARTICLES

[\*The Inadequate Legacy of Brown\*](#), ARKANSAS TIMES (September 21, 2017)

[\*What Do You Call a Black Man with a J.D.?\*](#), THE ROOT (November 24, 2010)

## TEACHING & RESEARCH INTERESTS

Primary: Criminal Law and Procedure; Evidence; Critical Race Theory; Civil Procedure

Additional: Civil Rights; Policing; Race, Resistance and the Law

## PROFESSIONAL EXPERIENCE

NAACP Legal Defense and Education Fund

Assistant Counsel, 2019-2021

Prosecuted civil rights cases across the nation. Represented the estate of a man who was killed during an officer-involved shooting in the estate's suit against the shooting officer and a municipality for excessive force and other claims. Spoke on civil rights matters in various fora.

Loevy & Loevy

Justice Fellow, 2018-2019

Prosecuted wrongful conviction and excessive force cases across the nation. Litigation counsel on multiple wrongful conviction cases that culminated in multimillion dollar settlements. Litigated a pretrial motion that resulted in one of the, if not the, first instances of a court recognizing that cross-gender searches of transgender people by a federal correctional officer may constitute a battery for which the federal government may be found civilly liable. Secured a jury verdict for a plaintiff in an excessive force case against a Chicago police officer.

Seeds of Liberation

Founder, Executive Director, 2015-2019

Conducted political education sessions regarding the criminal punishment system with the houseless, youth, policymakers, and other community stakeholders in Arkansas. Collaborated with formerly incarcerated people to create a counter to Arkansas's tough-on-crime lobby. Assembled a team of formerly incarcerated people who organized the Hope Group, a therapeutic support and advocacy collective that was administered and facilitated by formerly incarcerated people, for formerly incarcerated people. Worked alongside the Hope Group to lead a successful effort to end the ban on people with felony drug convictions receiving food stamps and welfare in Arkansas.

John W. Walker, P.A.

Attorney, 2016-2018

Primarily prosecuted civil rights cases. Negotiated a settlement on behalf of black students challenging a school district's racially discriminatory allocation of high-quality educational resources and facilities in federal court after obtaining favorable rulings denying the school district's dispositive motions. Won a criminal jury trial in which the client was accused of possessing with intent to distribute sixty-two pounds of packaged marijuana.

Orleans Public Defenders

Public Defender Corps-Equal Justice Works (PDC) Fellow, Staff Attorney, 2012-2015

Represented indigent people in criminal matters. Won multiple felony trials.

The Equal Justice Initiative  
Summer Legal Clerk, 2010

Institute for Research in African American Studies at Columbia Law School  
Research Assistant for Manning Marable, 2007

### **SELECTED PRESENTATIONS**

Moderator, *Toward Liberation: A Conversation on the Black Radical Tradition and the Movement to Free Palestine*, New York University School of Law, February 29, 2024

Guest Lecturer, *Policing and the Use of Force*, University of Arkansas at Little Rock Bowen School of Law, February 26, 2024

Moderator, *Resistance Across Borders: A Teach-In Charting Black and Palestinian Solidarity*, Columbia Law School, February 20, 2024

Speaker, *Week Against Mass Incarceration*, Vanderbilt Law School, February 16, 2024

Guest Lecturer, *Contemporary Criminal Issues*, Brooklyn Law School, February 5, 2024

*Punishing Involuntary Resistance*, presented at

- CrimFest Conference, July 17, 2023
- John Mercer Langston Workshop, June 30, 2023
- Annual Meeting of the Law and Society Association, June 2, 2023
- Jerome M. Culp Emerging Scholars Workshop, May 17, 2023
- American Bar Association, Academy for Justice, and Association of American Law Schools Workshop for Research on the Criminal Legal System, December 2, 2022
- Columbia Law School Academic Fellows Workshop, November 20, 2022

*The Criminalization of Black Resistance to Capture and Policing*, presented at

- Slavery Past, Present and Future: 7<sup>th</sup> Global Meeting, Accra Ghana, July 4, 2023
- Mid-Atlantic People of Color/Northeast People of Color Conference, October 21, 2022
- CrimFest Conference, July 18, 2022
- John Mercer Langston Writing Workshop, July 8, 2022
- Decarceration Law Professors, Virtual Works-in-Progress Workshop, June 20, 2022
- Criminal Justice Ethics Schmooze, June 9, 2022
- Columbia Law School Academic Fellows Workshop, April 27, 2022

Guest Lecturer, *Racial Justice Externship*, Columbia Law School, October 30, 2023

Guest Lecturer, *Abolition Colloquium*, Cardozo School of Law, September 20, 2023

Panelist, *Combating Anti-Blackness in Public Interest Spaces*, The Max Berger '71 Public Interest/Public Service Fellows Program, Columbia Law School, March 9, 2023

Moderator, *Resisting and Surviving*, New York University Review of Law & Social Change 2023 Colloquium: Criminalization of Dissent: Historical and Contemporary Repression of U.S. Resistance Movement, New York University Law School, March 8, 2023

Commenter, *Architecture of Abolition*, Graduate Architecture and Urban Design Studio, Pratt Institute, March 7, 2023

Panelist, *New Understandings of Wrongful Convictions, Innocent Behind Bars: A Symposium on Overcriminalization*, The Sandra Day O'Connor College of Law at Arizona State University February 24, 2023

Guest Lecturer, *Racial Equity Strategies Clinic*, New York University School of Law, February 22, 2023

Panelist, *Eradicating the Badges and Incidents of Slavery*, The Unfinished Work of Abolition: The University of Pennsylvania Carey School of Law Advocacy for Racial and Civil Justice Clinic Launch, February 3, 2023

Guest Lecturer, *Law and Social Justice*, University of Miami School of Law, November 15, 2022

Guest Lecturer, *Critical Race Theory*, Rutgers Law School, October 31, 2022

Panelist, *Movement Lawyering in Action—Tactics and Politics*, Law 4 Black Lives Movement Lawyering Intensive Fellowship Closing Retreat, October 21, 2022

Guest Lecturer, *Race, Gender, and Crime*, Fordham Law School, September 7, 2022

Speaker, *Restorative Justice Collective*, Columbia Law School, April 15, 2022

Guest Lecturer, *Racial Equity Strategies Clinic*, New York University School of Law, March 22, 2022

Co-Moderator, *Lawyering with Community Movements*, Lawyers, Community and Impact Series, Columbia Law School, March 9, 2022

Panelist, *Listen, Learn, and Act: Race and Law Enforcement Symposium*, St. Johns Law School, April 23, 2021

Panelist, *Prisons in a Pandemic: Litigating Health, Safety, and COVID for Incarcerated People*, Liman Center, Yale Law School, October 15, 2020

Guest Lecturer, *Contemporary Social Justice Issues*, Rutgers Law School, February 28, 2020

Panelist, *Retracing the Footsteps of History Makers: A Civil Rights Commemoration*, Little Rock Central High School National Historic Site, September 26, 2019

Witness, *Hearing on HB1251 – To Create the Helping Our People Excel (H.O.P.E.) Act of 2017*, Arkansas House of Representatives, Judiciary Committee, March 9, 2017

Lecturer, *How the State Instrumentalizes the Criteria of Citizenship to Paralyze People Directly Impacted by Incarceration in their Dispossession*, University of Central Arkansas, Scheder Honors College, October 5, 2016

Panelist, *The Intersection of Race, Gender, and Privilege Within the Fight Against Mass Incarceration*, Columbia University, Institute for Research in African-American Studies, April 21, 2016

#### **SELECTED MEDIA**

Dale Ellis, [Activist Charged in Firebombing Goes Free After Sentencing](#), ARKANSAS DEMOCRAT-GAZETTE (December 7, 2022)

Dale Ellis, [City of Little Rock, Family of Driver Killed by Police Officer Reach Settlement](#), ARKANSAS DEMOCRAT-GAZETTE (October 8, 2021)

Nell May, [Omavi Shukur](#), THE HARVARD GAZETTE (September 29, 2020)

Rachel Aviv, [\*Punishment by Pandemic\*](#), THE NEW YORKER (June 22, 2020)

Michael Buckner, [\*A Look at New Laws Going into Effect in Arkansas on July 31\*](#), THV11 (July 28, 2017)

Jim Williamson, [\*Man Found Not Guilty of Drug Possession\*](#), TEXARKANA GAZETTE (May 19, 2017)

Brejamin Perkins, [\*Rep. Walker Proposes Bill to Make Food Stamps Eligible for Those Convicted of Felony Drug Charges\*](#), THV11 (February 21, 2017)

Max Brantley, [\*A Response to Police Arrests Becomes a Tutorial on Race, Class and Policing in Little Rock\*](#), ARKANSAS TIMES (September 29, 2016)

Elizabeth Flock, [\*What's the Matter with Arkansas? Prison and Jail Lawsuits Signal Trouble\*](#), AL JAZEERA AMERICA (October 14, 2015)

### **SERVICE**

Little Rock Freedom Fund  
Board Member, 2022-Present

NAACP Legal Defense and Education Fund Marshall Motley Scholars Program  
Reviewer, 2022-Present

Arkansas Coalition to Abolish the Death Penalty  
Board Member, 2016-2018

American Civil Liberties Union of Arkansas, Legal Committee  
Member, 2015-2018

### **PROFESSIONAL MEMBERSHIPS**

Bar Admissions, Arkansas, Louisiana (inactive), New York, United States District Court for the Eastern and Western Districts of Arkansas, United States District Court for the Northern District of Illinois, United States District Court for the Eastern District of Louisiana, United States Court of Appeals for the Eighth Circuit, Supreme Court of the United States; Member, Law and Society Association; Member, American Association of Law Schools Section on Criminal Procedure

### **REFERENCES**

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