

JELANI JEFFERSON EXUM

University of Toledo College of Law School
2801 W. Bancroft, MS 507, Toledo, OH 43606
419-530-2911
jelani.exum@utoledo.edu

EDUCATION

HARVARD LAW SCHOOL, Cambridge, MA

J.D., June 2004

Award: Harvard Alumni Association Public Interest Fellowship for Service to Women

Activities: *Women's Law Journal*; Street Law, mentor; Black Law Students Association, Community Service Committee

HARVARD COLLEGE, Cambridge, MA

A.B. *Magna Cum Laude* in English and American Literature and Language, June 2001

TEACHING EXPERIENCE

UNIVERSITY OF TOLEDO COLLEGE OF LAW

Toledo, OH

Associate Dean for Diversity and Inclusion

January 2017 - Present

Professor of Law

July 2011 - Present

Subjects Taught:

Criminal Law, Criminal Procedure – Investigations, Criminal Procedure – Adjudications, Sentencing, Race and American Law

Awards:

Eastman & Smith Faculty Scholarship Support Award, 2015, 2016
Eastman & Smith Faculty Achievement Award, 2014
University Outstanding Teaching Award Nominee, 2013, 2014
Beth A. Eisler First-Year Teaching Award, 2013
UT Law BLSA Professor of the Year, 2011-2012
College of Law Student Impact Award, 2011-2012

UNIVERSITY OF MICHIGAN LAW SCHOOL

Ann Arbor, MI

Visiting Associate Professor of Law

September 2010 – July 2011

Subjects Taught:

Criminal Law, Comparative Criminal Procedure, Race and American Law

UNIVERSITY OF KANSAS SCHOOL OF LAW

Lawrence, KS

Associate Professor of Law

July 2007-August 2011

Subjects Taught:

Criminal Law, Criminal Procedure, Race and American Law, Comparative Criminal Procedure

TULANE LAW SCHOOL
Forrester Fellow and Instructor in Legal Writing

New Orleans, LA
June 2006 – July 2007

OTHER PROFESSIONAL EXPERIENCE

U.S. COURT OF APPEALS, FIFTH CIRCUIT
Law Clerk to Judge James L. Dennis

New Orleans, LA
2005 - 2006

U.S. DISTRICT COURT, EASTERN DIST. OF LA
Law Clerk to Judge Eldon E. Fallon

New Orleans, LA
2004 - 2005

RESEARCH INTERESTS

Sentencing Law and Policy; Comparative Criminal Law and Procedure; Race and Criminal Justice

PUBLICATIONS

Nearsighted and Colorblind: The Perspective Problems of Police Deadly Force Cases, 65 Clev. St. L. Rev. 491 (2017).

Giving Guidance to the Guidelines, 68 S.C. L. Rev. 453 (2017).

Should Death Be So Different?: Sentencing Purposes and Capital Jury Decisions in an Era of Smart on Crime Sentencing Reform, Arkansas Law Review (2017).

Purpose-Focused Sentencing: How Reforming Punishment Can Transform Policing, 29 J. Civ. Rts. & Econ. Dev. 1 (Fall 2016) (St. John's University School of Law).

The Death Penalty on the Streets: What the Eighth Amendment Can Teach Us About Regulating Police Force, 80 Missouri Law Review 987 (Fall 2015).

Forget Sentencing Equality: Moving from the “Cracked” Cocaine Debate Toward Particular Purpose Sentencing, 18 LEWIS & CLARK LAW REVIEW 95 (2014).

Reflections of a First-Time Expert Witness, 26 FEDERAL SENTENCING REPORTER 115 (December 2013).

What's Happening With Child Pornography Sentencing?, 24 FEDERAL SENTENCING REPORTER 2 (December 2011) (also served as guest editor of the issue).

The Influence of Past Racism on Present Criminal Injustice: A Review of The New Jim Crow and The Condemnation of Blackness, 12 AMERICAN STUDIES JOURNAL 52.1 (Spring 2011) (Book Review, invited).

Sentencing, Drugs, and Prisons: A Lesson From Ohio, 42 UNIVERSITY OF TOLEDO LAW REVIEW 881 (Summer 2011) (invited).

Reassessing Concurrent Tribal-State-Federal Criminal Jurisdiction in Kansas, 59 KANSAS LAW REVIEW 949 (2011) (with John J. Francis, Stacy L. Leeds, and Aliza Organick) (invited).

Communicating Substance, 23 FEDERAL SENTENCING REPORTER 4 (April 2011).

Making the Punishment Fit the (Computer) Crime: Rebooting Notions of Possession for the Federal Sentencing of Child Pornography Offenses, XVI RICHMOND JOURNAL OF LAW & TECHNOLOGY 8 (2010), <http://jolt.richmond.edu/v16i3/article8.pdf>. (invited).

Why March to A Uniform Beat?: Adding Honesty and Proportionality to the Tune of Federal Sentencing, 15 TEXAS JOURNAL ON CIVIL LIBERTIES & CIVIL RIGHTS 141 (2010).

The Essence of the Rules: A Comparison of Turkish and U.S. Criminal Procedure, in TURKISH CRIMINAL PROCEDURE CODE (Feridun Yenisey, Beta, Istanbul 2009, 2013) (also served as co-editor).

The More Things Change: A Psychological Case Against Allowing the Federal Sentencing Guidelines to Stay the Same in Light of Gall, Kimbrough, and New Understandings of Reasonableness Review, 58 CATHOLIC UNIVERSITY LAW REVIEW 115 (2008).

In Whose "Best Interests"? – *An International and Comparative Assessment of US Rules on Sentencing of Juveniles*, 1 HUMAN RIGHTS & GLOBALIZATION LAW REVIEW 89 (Fall 2007/Spring 2008) (with John Head).

WORKS-IN-PROGRESS

THE SENTENCER: CONVERSATIONS WITH JUDGES ABOUT THE PURPOSES, PROBLEMS, AND PROMISES OF SENTENCING [book] (advocating for an overhaul of the current federal sentencing system to be replaced by one that effectively incorporates sentencing purpose and accountability; informed by conversations with federal district judges across the country about the obstacles they face in trying to sentence with purpose)

Beyond Articulation: Toward a Purpose-Focused Theory of Reasonableness for Federal Sentencing (proposing that reasonableness in the context of federal sentencing appeals ought to be contingent upon sentences reflecting articulated sentencing purposes).

SCHOLARLY PRESENTATIONS

Overcriminalized and Undervalued: The Effects of Purposeless Punishment, Plenary Speaker, Georgia State University Symposium on Overcriminalization and Indigent Legal Care, April 7, 2017. (invited).

Sentencing With Purpose: Conversations With Judges, University of Detroit Mercy School of Law Faculty Colloquium, March 30, 2017. (invited).

Drug Sentencing: What's the Point?, Wayne Law Review Symposium, The Changing Face of the War on Drugs: Mass Incarceration, Overcriminalization, and Evolving Drug Policy, March 24, 2017. (invited).

Sentencing Lessons for Police Reform, Cleveland-Marshall College of Law Symposium, The Role of the Prosecutor and the Grand Jury in Police Use of Deadly Force Cases, November 18, 2016. (invited).

Should Death Be So Different?: Sentencing Purposes and Capital Jury Decisions in an Era of Smart on Crime Sentencing Reform, Arkansas Law Review Symposium, "The Future of the Death Penalty," When Death Goes Wrong panel, October 21, 2016. (invited).

Fatal Police Force: The Death Penalty on the Streets, University of Missouri Law Review Symposium, "Policing, Protesting and Perceptions: A Critical Examination of the Events in Ferguson, Work-in-Progress Session, February 26, 2015.

Incorporating Purpose Into Sentencing: Opportunities and Obstacles for Reform, Criminal Justice Forum Series, Cleveland-Marshall College of Law, April 17, 2014.

Forget Sentencing Equality: Lessons from the "Cracked" Cocaine Debate, Faculty Exchange with Case Western Reserve University Law School, November 5, 2012.

Forget Sentencing Equality: Lessons From the Cracked Cocaine Debate, Central States Law Schools Association, Cleveland-Marshall Law School, October 19, 2012.

Forget Sentencing Equality: Lessons From the Cracked Cocaine Debate, University of Toledo College of Law Faculty Workshop, September 12, 2012.

Uncracking the Cocaine Debate, Southeast/Southwest People of Color Annual Scholarship Conference, March 30, 2012.

Questioning Sentencing Equality, Central States Law Schools Association Conference, University of Toledo College of Law, October 28, 2011.

The Role of Sentencing Laws in Creating and Combating Racial Disparities in the Prison Population, RACE AND CRIMINAL JUSTICE IN THE WEST, Gonzaga University School Of Law, September 24, 2011. (invited).

Predators, Porn, and the Law, Syracuse Law Review Conference, April 9, 2011. (invited).

Realizing Justice in Sentencing, Association for the Study of law, Culture and the Humanities Annual Conference, March 12, 2011.

Sentencing, Drugs, and Prisons: A Lesson From Ohio, Toledo Law Review Symposium, OHIO'S SENTENCING POLICIES, PRACTICES, COSTS AND CONSEQUENCES, February 18, 2011. (invited).

Beyond Articulation: Toward a Purpose-Focused Theory of Reasonableness for the Review of Federal Sentences, Informal Talk, University of Michigan Law School, October 20, 2010.

Moving Toward a Purpose-Focused Theory of Reasonableness for the Review of Federal Sentences, Central States Law Schools Association Annual Conference, University of North Dakota Law School, September 25, 2010.

Toward a Purpose-Focused Theory of Reasonableness for Federal Sentencing, Third National People of Color Legal Scholarship Conference, September 12, 2010.

The Child Pornography Sentencing Debate, Brown Bag Lunch Presentation to United States District Court Judges, Eastern District of Michigan, September 8, 2010. (invited).

Harmful to Minors: The Heated Debate on Federal Sentencing of Child Pornography Offenders, West LegalEd Center Live Webcast CLE, April 23, 2010. (invited).

Making the Punishment Fit the (Computer) Crime: Rebooting Notions of Possession for the Federal Sentencing of Child Pornography Offenses, Richmond Journal of Law And Technology Annual Spring Symposium: Criminal Law and Technology, March 25, 2010. (invited).

Why March To A Uniform Beat?: Adding Honesty and Proportionality to the Individualized Tunes of Federal Sentencing, University of Missouri School of Law Scholar Exchange Program, February 19, 2010.

Why March To A Uniform Beat?: Adding Honesty and Proportionality to the Individualized Tunes of Federal Sentencing, Central States Law Schools Association Annual Conference, October 24, 2009.

Why March To A Uniform Beat?: Adding Honesty and Proportionality to the Tune of Federal Sentencing, University of Cincinnati College of Law Scholar Exchange Program, October 2, 2009.

Domestic Violence in the United States, Bahcesehir University Panel on Domestic Violence, Istanbul, Turkey, July 21, 2009. (invited).

Uniformly Biased: Why Starting Sentencing Determinations with the Guidelines Range is Unreasonable, Law and Society Annual Meeting, May 28, 2009.

Uniformly Hiding Bias: Reasons for Releasing the Anchor from Federal Sentencing, Southeast/Southwest People of Color Annual Scholarship Conference, March 28, 2009.

Substantively Wrong: The Error of Using the Guidelines as a Starting Point in an Abuse of Discretion Review of Federal Sentences, Central States Law Schools Association Annual Conference, October 25, 2008.

Stumbling Into Reasonableness, Washington University in St. Louis School of Law Junior Faculty Works-In-Progress Workshop, November 30, 2007.

EXPERT TESTIMONY AND MEDIA COMMENTARIES

TOLEDO CITY PAPER, David Maxwell Fine, *Ohio and Capital Punishment: It's Complicated*, January 25, 2017, <http://toledocitypaper.com/the-city/ohio-prepares-to-execute-its-first-inmate-since-2014>.

TOLEDO CITY PAPER, David Maxwell Fine, *Medical Marijuana, Now Legal in Ohio: But Still Prohibited Under Federal Law*, September, 2016 (explained effect of federal law on state laws), available at, <http://www.toledocitypaper.com/September-Issue-1-2016/Medical-Marijuana-Now-Legal-in-Ohio/#Medical#Medical>.

WTOL 11, *What Happens When The Weapons of War Come Home*, February 16, 2015 (discussed the consequences of military-grade weapons being given to local police departments by the U.S. Department of Justice), available at <http://www.toledonewsnow.com/story/28097817/wtol-11-investigates-what-happens-when-the-weapons-of-war-come-home>

THE TOLEDO BLADE, *Ohio Resurrects "Stand Your Ground" Bill*, July 21, 2013 (discussed possible variations of self-defense laws), available at <http://www.toledoblade.com/State/2013/07/20/Ohio-House-resurrects-stand-your-ground-bid.html>.

WTVG 13 ABC, *Roundtable with Jeff Smith*, April 28, 2013 (discussing electronic surveillance and the Boston Marathon bombing), available at <http://www.13abc.com/story/16525542/roundtable-with-jeff-smith>
U.S. v. Myers, U.S. District Court for the District of Maryland (live expert testimony at sentencing hearing on child pornography offenses), January 2, 2013.

WTVG 13ABC, *Local Reaction to Amanda Knox Verdict*, October 3, 2011 (discussed Italian criminal process and consequences of Amanda Knox appeal victory), available at <http://www.13abc.com/story/15608943/local-reaction-to-amanda-knox-verdict>

THE UNIVERSITY DAILY KANSAN, January 14, 2010, *Hit and Run Driver Waives Rights*, (discussed the implications of a defendant waiving his rights to a preliminary hearing and jury trial), available at <http://www.kansan.com/news/2010/jan/14/hit-and-run-driver-waives-rights/>

STATE OF THE STATE KS, October 30, 2009 (discussed whether the criminal justice system is achieving its goals), archived at <http://stateofthestateks.com/2009/11/02/ku-law-schools-criminal-law-professor/>.

SYMPOSIA, CONFERENCES & WORKSHOPS ORGANIZED & HOSTED

Organizer/Host, Sentencing Advocacy Workshop, The Defender Services Office of the Administrative Office of the U.S. Courts, Training Division (to be held June 11-13, 2015 University of Toledo College of Law).

Organizer/Host, Central States Law Schools Association Annual Scholarship Conference, Toledo Law, October 28 & 29, 2011.

LAW SCHOOL SERVICE

University of Toledo College of Law

Administrative Appointments

Associate Dean for Diversity and Inclusion 2017-Present

Committees

Appointments Committee,

- Chair 2016-2017
- Member 2012-2014

Renewal, Reappointment, Promotion, and Tenure Committee 2016-2018

Admissions Committee 2016-Present

Law Review Symposium, Faculty Advisor 2015

Dean Search Committee 2014-2015

JD/MA in Criminal Justice Joint Degree Program, Advisor 2014-Present

Criminal Law Certificate, Coordinator 2011-Present

Criminal Law Moot Court Team, Advisor 2011-2014

Academic Policy Committee 2011-2013;

2014-2015

Diversity Committee 2017-Present;

2011-2014

Criminal Justice Society, Faculty Advisor 2011-Present

Presentations

The Case Against Mandatory Minimums, Toledoans For Prison Awareness, April 17, 2018 (invited).

The Legal Case for Diversity, Higher Education Recruitment Consortium, January 19, 2018.

Continuing Dr. King's Fight for Freedom: Giving Context to the Black Lives Matter Movement, Shumaker Loop MLK Luncheon, January 15, 2018.

The Supreme Court and Civil Rights, Maumee Valley Country Day School, January 12, 2018.

Speaker, *What's Beyond the Mountaintop?: Working Toward Justice in Sentencing*, Martin Luther King Event, University of Iowa College of Law, January 27, 2017.

Moderator, Judicial Panel, Law Review Symposium, October 15, 2015.

Guest Lecturer, Miranda Rights, Bowling Green State University, March 18, 2014.

Moderator, Panel on Stand Your Ground Laws, September 9, 2013.

Speaker, Law and Leadership Institute, July 3, 2012; July 1, 2014; July 13, 2017.

Panelist, Hoods On: Trayvon Martin Vigil, April 9, 2012.

Presenter, UT Law Preview Day Mock Class, 2014, 2015.

Presenter, UT Law Diversity Day Mock Class, 2012, 2013.

Keynote Speaker, UT Black Law Students Association Black History Luncheon, February 22, 2012.

University of Michigan Law School

Presentations

Moderator, PANEL ON BELONGING, “*We Must First Take Account*”: A Conference on Race, Law, and History in the Americas, University of Michigan Law School, April 2, 2011.

Panelist, DIVERSITY IN THE LEGAL PROFESSION, University of Michigan Law School, March 16, 2011.

Moderator, THE RACIAL ACHIEVEMENT GAP IN EDUCATION, University of Michigan Journal of Race and Law, February 16, 2011.

Presenter, *My Journey through Race and the Law*, University of Michigan Journal of Race and Law lecture, October 6, 2010.

University of Kansas School of Law

Committees

Academic Affairs Committee	2009 - 2010
Faculty Workshops and Lectureships Committee	2008 - 2010
Judicial Clerkship Advisor Committee	2007 - 2010
KU Law Diversity Summer Camp, Faculty Advisor	2010
Istanbul Study Abroad Program, Co-Director	July 4-26, 2009

Presentations

Commenter, University of Kansas School of Law Noon Forum, *Sex, Jurisprudence, and Rock & Roll*, September 29, 2009 (offered insights into the tensions between Kansas statutory rape mandatory reporting laws and privacy rights of minors).

Presenter, Thurgood Marshall Law Day Mock Class, 2008, 2009, 2010.

Presenter, Kansas Bar Association Grow Your Own Lawyer Day at KU Law Mock Class, 2009, 2010.

Moderator, GUANTANAMO BAY PANEL, *National Security and Individual Liberty: Whose Rights and What Cost, Human Rights Symposium*, University of Kansas School of Law Human Rights Symposium, February 6, 2009.

Moderator, PANEL DISCUSSION ON CRIMINAL JUSTICE AND RACIAL DISPARITIES, *Law, Reparations & Racial Disparities*, Kansas Law Review 2008 Symposium, October 31, 2008.

Presenter, KU Law Open House Mock Class, September 27, 2008.

Presenter, Career Services Interview Panel, November 27, 2007.

Presenter, Multicultural Law Lunch Mock Class, November 13, 2007.

Presenter, Judicial Clerkship Panel, August 21, 2007.

UNIVERSITY SERVICE

University of Toledo

Panelist, “The Legal Case for Diversity”, *Embracing the True Organizational Culture of Diversity: Recruiting and Retaining Diverse Faculty*, Higher Education Recruitment Consortium, January 19, 2018

Panelist, Post-Election Forum Series, *A Law And Order Presidency?: Issues in Policing and Criminal Justice*, “What May Change?: The Influence of the Attorney General on Criminal Justice Protections and Priorities,” January 31, 2017

Speaker, “Fatal Police Force: The Death Penalty on the Streets,” UT Africana Studies Department Brown Bag Speaker Series, October 22, 2014.

Panelist, *A Real Look at Legal Issues That Can Impact Students*, Brothers on the Rise, University of Toledo, April 2, 2014.

Panelist, *The Role of Drug Sentencing Laws in Facilitating Prosecutorial Bias*, UT College of Education, Health Science and Human Services’ First Annual Ethics in Criminal Justice Conference, December 13, 2011.

University of Michigan

Speaker, *Guilty Until Proven Innocent: Race and Wrongful Convictions*, Alpha Kappa Alpha Sorority, Incorporated Beta Eta Chapter at the University of Michigan, April 12, 2011.

Panelist, *Then and Now: Drug Policy and Racial Consequences*, Students for Sensible Drug Policy, University of Michigan, October, 13, 2010.

University of Kansas

Affiliated Professor, Center of Latin American Studies, University of Kansas, Instructor, 2009 – 2011.

Cambridge Pre-Law Program, University of Kansas, July 2010 (Cambridge, England).

Panelist, Black Achievement and Awareness Day, University of Kansas, February 16, 2009.

PROFESSIONAL SERVICE

Leadership Positions

Editorial Board Member, Federal Sentencing Reporter	2015-Present
Trainer/Faculty, Sentencing Advocacy Workshop, Administrative Office of the United States Courts	2014-2015
Central States Law Schools Association, President	2010-2011
Central States Law Schools Association, Vice President	2009-2010
Central States Law Schools Association, Secretary	2008-2009

Presentations/Other Service

Keynote Speaker, “Continuing Dr. King’s Fight for Freedom: Putting the Black Lives Matter Movement in Context”, Shumaker, Loop, & Kendrick MLK Day Luncheon, January 15, 2018.

Speaker, “The Supreme Court and Civil Rights”, Maumee Valley Country Day School, Civil Rights Class, January 12, 2018.

Guest Lecturer, “International Perspectives on Jury Systems,” Cross Border Institute (Arizona Summit Law School), Mexico City, January 11, 2016.

Speaker, “What the Supreme Court Has to Say About Sentencing,” Toledo Bar Association, Lucas County Court of Common Pleas Annual Appointed Counsel Criminal Practice Seminar, December 18, 2015.

Speaker, “Special Topic in Criminal Appeals: Appealing Sentences’ Substantive Unreasonableness,” Toledo Bar Association, 2015 Court of Appeals Seminar, December 11, 2015.

Speaker, “Arrest and Incarceration of African-Americans: The Story Behind the Numbers,” Toledo Bar Association Kiroff Bench Bar Panel, October 23, 2015.

Keynote Speaker and Session Leader, “SOS: The Death Penalty on the Streets”, The State of the State Conference 2015, hosted by Owens Community College, March 19, 2015.

Speaker, “Fatal Police Force: The Death Penalty on the Streets,” Terra State Community College Speaker Series, hosted by Terra Community College Humanities Department, Fremont Chapter of NAACP, People for Peace & Justice Sandusky County, and Fremont Concerned Citizens Group, February 20, 2015.

Speaker, “Racism, Policing, and the Role of Lawyers,” Lucas County Bar Association Meeting, February 9, 2015.

Speaker, “The Death Penalty on the Streets,” Scott High School Stand Up Conference, December 18, 2014.

Speaker, “Fatal Police Force: The Death Penalty on the Streets,” Northwest Ohio Chapter of the ACLU, November 19, 2014.

Speaker, “What to Do When The Police Stop You,” Toledo Buffalo Soldiers Motorcycle Club Community Forum, October 22, 2014.

Speaker, “Fatal Police Force: The Death Penalty on the Streets,” TedxToledo, September 18, 2014, available at: <https://www.youtube.com/watch?v=sq7eAEjJm6U>.

Presenter, “Drug Sentencing Reform in Ohio and Beyond”, Toledo Women’s Bar Association CLE, May 22, 2013.

Panelist, SCIENCE CAFÉ DISCUSSION ON RACE AND SENTENCING, University of Michigan Museum of Natural History, February 27, 2013.

Moderator, PANEL ON STRATEGIES FOR REFORM, *Inhumane and Ineffective: Solitary Confinement in Michigan and Beyond*, Michigan Journal of Race & American Law Symposium, February 2, 2013.

Speaker, “We are the Key to Doing Better at Sentencing”, TedxToledo Inaugural Event, September 20, 2012.

Commentator, Lutie Lytle Black Female Scholarship Conference, Suffolk University Law School, July 1, 2011.

Speaker, Toledo Women’s Bar Association, *Failing Our Girls: The Flawed Sentencing of Child Pornography Offenders*, February 29, 2011.

Guest Editor, Federal Sentencing Reporter, Child Pornography Sentencing Issue (December 2011).

Panelist, Wolverine Bar Association, *Breaking Into the Legal Academy: Tips For Aspiring Law Professors*, February 8, 2011.

PROFESSIONAL & COMMUNITY AFFILIATIONS

The Links Inc., Oakland County (MI) Chapter, member
American Bar Association, member
Sentencing Committee, ABA Criminal Justice Section, member
Louisiana State Bar Association, member
Texas Bar Association, member

BAR MEMBERSHIP

Louisiana, admitted October 2004
Texas, admitted May 2006