For Professor Brooks’ Civil Rights Theories & Jurisprudence Seminars
Fall 2019

LRC Reference Desk:
(619) 260-4612
lrcrefer@sandiego.edu
What we will cover

• Conducting a thorough literature review
  • Evaluating sources
  • Books & articles
  • Law and other disciplines
  • USD and other libraries
• Fact finding
  • News
  • Searching the web
  • Public policy research & analysis
  • Case law & docket research
• Note-taking tools and techniques
• Citation style for your seminar paper
LITERATURE REVIEW
Literature Review

- A survey of books, scholarly articles, and any other sources relevant to a particular issue, area of research, or theory
- Helps you formulate your thesis and locate your arguments within the larger field of study
Reliable Secondary Sources

- Evaluate sources for:
  - **Authority** – author is identified, reputable, credentialed
  - **Objectivity** (fairness, lack of bias)
  - **Accuracy** – provides references to sources, verifiable
  - **Scope** (relevancy)
  - **Currency**
BOOKS
Pardee Legal Research Center

The law library exists to support the educational and scholarly activities of the USD law community.

Welcome to the Pardee Legal Research Center (LRC). The library is open seven days a week. Professional reference librarians are available to assist you with your research queries.

**Faculty Publication Services**
The LRC offers cite-checking, proofreading, and other support for faculty scholarship.

**Printing at the LRC**
Everything you need to know about mobile printing in the library.

**October Trivia**
Win a treat from Trader Joe's

---

**Search LRC**

Search Catalog  Databases A-Z  By Subject

Search term:

discrimination jurisprudence

Library Account | Classic Catalog | Find Legal Journals | Course Reserves | Past Exams
USD’s online catalog finds items located in the LRC and also in the Copley Library collection.

• Remember that the catalog can be used to find not just materials in our print collection, but it also provides direct access to materials in our subscription databases

• You can search USD’s online catalog from LRC’s homepage
Searching the Circuit

Circuit Catalog:
- USD is a member of a library consortium, the Circuit
- The Circuit allows you to borrow materials from SDSU, UCSD, and the San Diego County Library.
- Greatly increases the universe of materials that are accessible to you!
- Delivered to LRC in 24–48 hrs (pick up at Circulation desk)

Access:
- Via USD catalog (click on hyperlinked Circuit logo)
- Directly at http://circuit.sdsu.edu
Request Verification

Requesting *Racism and the underclass: state policy and discrimination against minorities* edited by George W.

**USDOne Login**

Enter your USDOne username

Enter your USDOne password

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Pickup Location: **USD Legal Research Center**

Start Over

**Basic Search Tips**

Keyword
Title
Author
Subject

**Advanced Search**

Advanced Keyword

**Other Searches**

Biomedical Subject (Medical Subject Headings)
Children's books by subject
Genre

**Number Searches**

LC Call No.
Dewey Call No.
Government Document No.
OCLC No.

Search Help
Search Help
Searching the catalogs

Interlibrary Loan (ILL):

• If you can’t find an item at USD or through the Circuit, we may be able to get it from another library via ILL
• Check http://www.worldcat.org or come ask a reference librarian
• Delivered to LRC anywhere from 3 days to 3 weeks—make your request early!

http://www.sandiego.edu/law/library/find-resources/ill/index.php
LAW ARTICLES
Law articles

- Lexis
- Westlaw
- Google Scholar

Unpublished or forthcoming
- SSRN
- Bepress
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### National

- American Law Reports (ALR)  
- American Jurisprudence 2d (AMJUR)  

### Federal

- Federal

### Content Type

- Treatises, Practice Guides & Jurisprudence  
- Expert Analysis & Emerging Issues  
- Tax Practice Insights  
- 50 State Surveys  
- Law Reviews & Journals  
- Restatements  
- Dictionaries  
- CLE Course of Study Materials  
- Legal Topic Summaries

### State

- Alabama  
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Secondary Sources (1,043)

Filtered Publications

Publication Type

- Law Reviews & Journals

- ABA Environment, Energy & Resources Law: The Year in Review
- ABA Journal
- ABA Journal eReport
- ABA Journal of Labor & Employment Law
- ABA SciTech Lawyer
- ABA Trends
- ACC Docket
- Accord, A Legal Journal for Practitioners
- ACTEC Law Journal
You searched: critical race jurisprudence

1. **The Vulnerable Subject: Anchoring Equality in the Human Condition**
   - Number of pages: 23  •  Posted: 10 May 2008  •  Last Revised: 19 Jun 2012
   - *Martha Albertson Fineman*
   - Emory University School of Law
   - Keywords: equality, constitutional law, critical theory, feminism, gender, race, class, disability, social ...

   - Number of pages: 34  •  Posted: 28 May 2008
   - *Sunny Woan*
   - Santa Clara University
   - Keywords: Asian, Asian American, APA, feminist jurisprudence, feminism, white sexual imperialism, ...

3. **Social Justice Feminism**
   - Number of pages: 61  •  Posted: 24 Mar 2008  •  Last Revised: 01 Aug 2014
   - *Verna L. Williams and Kristin Kalsem*
   - University of Cincinnati - College of Law and University of Cincinnati - College of Law
   - Keywords: Social justice feminism, oppression, Women's Legal History, Intersectionality, Race, Feminist Legal ...
Full-Text Articles in Law

Secrets On The Texas-Mexico Border: Leiva Et Al. V. Ranch Rescue And Rodriguez Et Al. V. Ranch Rescue And The Right Of Undocumented Aliens To Bring Suit, Brooke H. Russ

Mar 3004

The Effect Of Context On Practice, Susan D. Carle

Oct 2019

Resuscitating The Black Body: Reproductive Justice As Resistance To The State’S Property Interest In Black Women’S Reproductive Capacity, Jill C. Morrison

Oct 2019

(En)Gendering Indian Law: Indigenous Feminist Legal Theory In The United States, Sarah Deer

Oct 2019

Volume 31, Issue 1, Full Issue 2019, Yale Journal Of Law And Feminism

Oct 2019

To Exempt Or Not Exempt: Religion, Nonreligion, And The Contraceptive Mandate, Sarah Kim

Oct 2019

Speech Narcissism, Terri R. Day, Danielle Weatherby

Oct 2019

Unusual Deference, William W. Berry lii

Oct 2019
Search strategies

• Use multiple search techniques
  • Keyword (natural language & Boolean)
  • Subject
  • Browse

• Ask a librarian

• Build from the sources you’ve already found
  • Look at sources cited by those sources
  • Use a citator (Shepard’s or KeyCite) to find sources that have cited to sources you’ve already found
CRITICAL RACE THEORY AND CLASSICAL-LIBERAL CIVIL RIGHTS SCHOLARSHIP: A DISTINCTION WITHOUT A DIFFERENCE?

We need to admit up front to our collective disadvantage in making multiculturalism a focus of this book. We are three bland middle class white men whose academic careers have focused on mainstream doctrine and the application of positive political theory to public law issues. Though one of us (Farber) is a Jew and one of us (Eskridge) is a gay man, we have not experienced exclusion in the same ways as women, lesbians, Asians, African Americans, Hispanics, and Native Americans. Partly for this reason, in our treatment of discrimination-related issues, we have relied less on our own textual exposition of different points of view (as we do in most of the book), and more on excerpting the views of scholars whose work reflects other perspectives. ¹
ARTICLES FROM OTHER DISCIPLINES
http://www.sandiego.edu/library/
The Copley Library renovation is underway! Starting on June 3rd the temporary entrance will be through the Camino Hall entrance closest to the library.

Search Copley

Catalog  Catalog Plus  Databases  Digital USD  Journals  Reserves

Find databases by title or keywords

Browse by Subject | Browse Alphabetically by Title: ABCDEFGHIJKLMNOPQRSTUVWXYZ


Results

- Anthropology
- Art, Architecture & Applied Arts
- Biographical Information
- Biological Sciences
- Business & Economics
- Chemistry, Physics & Mathematics
- Communication & Media Studies
- Earth & Environmental Sciences
- Education
- Engineering & Computer Science
- Ethnic Studies
- History
- Languages & Literatures
- Law
- Library Science
- Music, Dance & Theatre
- News
- Nursing & Health Sciences
- Philosophy
- Politics & Government
- Psychology
- Reference
- Sociology
- Theology & Religious Studies
Some databases to know

- Academic Search Premier
- JSTOR
- Sage Premier Journals
- SpringerLink Journals
- Wiley Interscience Journals
Other Libraries

- You may be able to access subscription databases available at other libraries by visiting campus
Beyond the case opinion

- Civil Rights Litigation Clearinghouse
  www.clearinghouse.net
- www.SCOTUSblog.com
- Website of advocacy organization or law firm involved in litigation
- Contemporary news articles
WHAT IS THE CLEARINGHOUSE?

The Civil Rights Litigation Clearinghouse, at the University of Michigan Law School, brings together and analyzes information and documents about important civil rights cases across the United States. It is organized by case category. Currently, the categories include:

- Child Welfare
- Criminal Justice (Other)
- Education
- Election/Voting Rights
- Environmental Justice
- Equal Employment
- Fair Housing/Lending/Insurance
- Immigration and/or the Border
- Indigent Defense
- Intellectual Disability (Facility)
- Jail Conditions
- Juvenile Institution
- Mental Health (Facility)
- National Security
- Nursing Home Conditions
- Policing
- Presidential Authority
- Prison Conditions
- Public Accom./Contracting
- Public Benefits / Government Services
- Public Housing
- School Desegregation
- Speech and Religious Freedom

For details on these case categories, click here. As of today, October 25, 2019, the Clearinghouse is posting at least partial information on 7,832 cases, including a litigation summary for each, as well as 59,790 dockets, complaints, filings, opinions, settlements, court orders, and other documents. Some of these cases are historical, but many more are current; the site is strongest for cases from the 1990s to present.

The site is dedicated to injunctive rather than damages litigation—that is, to cases seeking policy or operational changes.
Race and the Supreme Court

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<td>What Powell v. McCormack Teaches Us About Contemporary Race and Politics</td>
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Older Posts »
SEARCH ACLU

YOUR SEARCH RESULTS

Showing 1 - 10 of 100 Results

Financial Oversight and Management Board for Puerto Rico v. Aurelius Investment, LLC
SEPTEMBER 3, 2019 | CASE

Collins et al. v. The City of Milwaukee et al.
JULY 16, 2019 | CASE

Home of Virginia, Inc. v. Wisely Properties, LLC and Multifamily Management Services, Inc.
JUNE 4, 2019 | CASE

Sandvig v. Barr — Challenge to CFAA Prohibition on Uncovering Racial Discrimination Online
MAY 22, 2019 | CASE
The American Civil Liberties Union, the ACLU of Wisconsin, and the law firm of Covington & Burling LLP filed a class-action lawsuit today against the City of Milwaukee over its police department’s vast and unconstitutional stop-and-frisk program. The department targets tens of thousands of people without reasonable suspicion of criminal activity, the legal requirement for a police stop. The department’s repeated violations of Milwaukeeans’ constitutional rights are driven by racial profiling, with preliminary data showing significant disparities between police stop rates for white people and for Black and Latino people.

For almost a decade, the Milwaukee Police Department has pursued an aggressive and unconstitutional policing strategy promoting large numbers of stops and frisks citywide. Between 2007 and 2015, the department almost tripled their traffic and pedestrian stops, from around 66,000 to around 196,000, following the launch of the program in 2008.

Milwaukee residents have long protested that police officers are conducting stops and frisks of innocent people, and particularly treating people of color disproportionately. Plaintiffs claim that Milwaukee’s stop-and-frisk program is unconstitutional and violates the Fourth Amendment to the United States Constitution, which guarantees the right to be free from unreasonable searches and seizures.

Collins v. Milwaukee seeks an end to the Milwaukee Police Department’s practice of conducting stops and frisks without reasonable suspicion, as well as its practice of stopping people based on their race or ethnicity. It also seeks reforms that safeguard constitutional rights by promoting bias-free and evidence-based policing, transparency, and police accountability. These reforms include improved training, supervision, and monitoring of officers who conduct stops and frisks, and the collection and semiannual release to the public of data on all stops and frisks to permit further analysis for evidence of constitutional violations.

On May 24, 2017, the Plaintiffs filed an amended complaint, adding three additional named plaintiffs to the lawsuit, one of whom is Rep. David Crowley, a state legislator representing Wisconsin’s 17th Assembly District.

In July 2017 the parties reached a Settlement Agreement that was approved by Plaintiffs, the City of Milwaukee, and the court. Under the agreement, the City of Milwaukee agreed to implement reforms that will reduce the number of stops and frisks, and to ensure that stops and frisks are conducted only with reasonable suspicion. The agreement also requires the City to report detailed data on stops and frisks to the court and to the public, and to train police officers on constitutional policing.

The settlement agreement is a significant victory for civil liberties and for Milwaukee residents, and it is a model for other cities across the country. The Milwaukee Police Department is committed to implementing the reforms called for in the settlement agreement, and to working with the court and the community to ensure that police officers are conducting stops and frisks only with reasonable suspicion, and that the police department is accountable to the public for its actions.
News, blogs & web searching

• Web
  • Google Advanced Search: https://www.google.com/advanced_search
• Subscription paywall?
  • Search the library catalog for title of publication – we may have a subscription
• News
  • Lexis & Factiva
• Law blogs
  • http://blogs.law.unc.edu/civilrights/
Court filings

- Date of case
- Federal vs. state
- Dockets vs. documents

Sources:
- BloombergLaw
- Westlaw & Lexis
- Court websites
Public policy studies & analysis

- Evaluate the source
  - **Authority** – author is identified, reputable, credentialed
  - **Objectivity** (fairness, lack of bias)
  - **Accuracy** – provides references to sources, verifiable
  - **Scope** (relevancy)
  - **Currency**

- Look for nonpartisan research
  - [https://guides.library.harvard.edu/publicpolicy](https://guides.library.harvard.edu/publicpolicy)
Most Americans say the legacy of slavery still affects black people in the U.S. today

Black adults are particularly likely to say slavery continues to have an impact: More than eight-in-ten say this is the case.

Key facts about Asian origin groups in the U.S.

Asian Americans are the fastest-growing major racial or ethnic group in the United States. More than 20 million Asians live in America.

From police to parole, black and white Americans differ widely in their views of criminal justice system

Attitudes vary considerably by race on issues including crime, policing, the death penalty, parole decisions and voting rights.
From police to parole, black and white Americans differ widely in their views of criminal justice system

BY JOHN GRAMLICH

Activists in New York City march in July 2016 in response to fatal shootings of two black men by police. (Yana Paskova/Getty Images)

Black Americans are far more likely than whites to say the nation’s criminal justice system is racially biased and that its treatment of minorities is a serious national problem.

In a recent Pew Research Center survey, around nine-in-ten black adults (87%) said blacks are generally treated less fairly by the criminal justice system than whites, a view shared by a much smaller majority of white adults (51%). And in a survey shortly before last year’s midterm elections, 79% of blacks — compared with 32% of whites — said the way racial and
Majorities of black and white adults say blacks are treated less fairly than whites in dealing with police and by the criminal justice system

Black and white adults have widely different perceptions of how blacks are treated in America, but majorities of both groups say blacks are treated less fairly than whites by the criminal justice system (87% of blacks vs. 61% of whites) and in dealing with police (84% vs. 63%, respectively).

About six-in-ten blacks or more – but fewer than half of whites – say blacks are treated less fairly than whites in hiring, pay and promotions; when applying for a loan or mortgage; in stores or restaurants; when voting in elections; and when seeking medical treatment. In each of these realms, whites tend to say blacks and whites are treated about equally; very small shares say whites are treated less fairly than blacks.
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<td>&quot;Underutilized Strategies in Traffic Safety: Results of a Nationally Representative Survey,&quot; Fell, J.C., 2019 (forthcoming)</td>
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<td>&quot;Pay for Success Development in the United States: Feasible or Falling to Launch?&quot;, Heinrich, C.J. and Kabourek, S.E., 2019 (forthcoming)</td>
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<td>&quot;Business Leaders’ Attitudes about Value of Employee and Community Health:; Heffernan, M., Meit, M.B., Powers, M., Castrucci, B.C. and Sellers, K., 2019 (forthcoming)</td>
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Statistical data & analysis

United States Census Bureau
https://data.census.gov/cedsci/

Bureau of Justice Statistics (DOJ)
http://www.bjs.gov/

Publications & analysis vs. raw data

Infographics
NOTE-TAKING TOOLS & TECHNIQUES
Why good note-taking is important

• Bolster your argument
• Avoid inadvertent plagiarism
• Save yourself time and trouble when creating citations
What to look for

- Reference manager
- Citation support for Bluebook style
- Organize and annotate PDFs and other digital content
- Fits your research style--something you will use!!
Note-taking apps

Evernote

Google Drive

Microsoft OneNote

Dropbox

Box
Document AND citation management

Typical features include:
• Free or premium upgrade
• Web, client, mobile apps
• PDF storage & annotation
• Cloud & local storage
• Web content capture
• Citation style (“bibliographic utility”)
If you cut & paste text from another source to look at later, **immediately** mark it as copied text & include citation info.
Summarizing & Paraphrasing

- Try to do it without looking at the source material
- Not enough to change a few words around, or substitute synonyms
- You literally have to rewrite the material using your own words

“If you can't explain it simply, you don't understand it well enough.”

Albert Einstein
Citing the best source

- Don’t rely on Source A to tell you what Source B says – go back to the original
  - Don’t cite Scholar A to tell your reader what Scholar B argued
  - Don’t cite a book or an article to tell your reader what a case held
  - Don’t cite a case to tell you what the statute says
Research log

- Keep a log of where you’ve searched and what search terms you used (not just what you found)
- This will save you time later
Sources & additional resources

Comparing reference managers:
• https://www.library.wisc.edu/services/citation-managers/comparison-chart
• http://library.law.yale.edu/research-management-and-citation

Setting up Bluebook style:
• https://www.law.georgetown.edu/library/research/citation-tools/bluebook.cfm
Follow the citation format used in your course materials.

- Books
- Secondary Sources
- Websites
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- M–Th 9am–6pm
- F 9am–5pm
- Su noon–4pm

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Chat: www.sandiego.edu/law/library
Call: (619) 260-4612

Liz Parker (619) 260-4600 x2555
eparker-10@sandiego.edu