



# LRC Research Training

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

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# 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**

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[Faculty Resources](#)



### Faculty Publication Services

The LRC offers cite-checking, proofreading, and other support for faculty scholarship.



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Everything you need to know about mobile printing in the library.



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civil rights jurisprudence



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# Searching the catalogs



**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



## Results 1 - 25 of 242 for civil rights jurisprudence

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- ☐ Print Book (164)
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- ☐ Legal Research Center (196)
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- ☐ Subject (29)

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- ☐ At the library (239)
- ☐ Online (74)

## Collection

- ☐ Books (120)
- ☐ Electronic Publications (27)

## Language

- ☐ English (242)
- ☐ Hungarian (1)
- ☐ German (1)

**Defining civil and political rights [electronic resource] : the jurisprudence of the United Nations Human Rights Committee / Alex Conte and Richard Burchill**

Conte, Alex, 1971-

E-BOOK | c2009

Available at Copley Internet (K3241 .C66 2009eb) [see all](#)[→ Connect to full text \(USD users only\)](#)

Additional actions:

**Defining civil and political rights [electronic resource] : the jurisprudence of the United Nations Human Rights Committee / Alex Conte and Richard Burchill**

Conte, Alex, 1971-

E-BOOK | c2009

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Additional actions:

**Code remedies : remedies and remedial rights by the civil action according to the reformed American procedure : a treatise adapted to use in all the states and territories where that system prevails / by John Norton Pomeroy, LL.D., author of "A treatise on equity jurisprudence," etc**

Pomeroy, John Norton, 1828-1885, author

E-BOOK | 1904

Available at LRC Internet (KF8870 .B64 1904x ONLINE) [see all](#)[→ CLICK HERE to access this resource in the Making of Modern Law database. USDOne login and password required from off campus](#)[→ CLICK HERE to access this resource. USDOne login and password required from off campus](#)[→ CLICK HERE to access this resource. USDOne login and password required from off campus](#)

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- USD is a member of a library consortium, the Circuit
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<http://www.sandiego.edu/law/library/find-resources/ill/index.php>

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ML Perlin, KK Gould, DA Dorfman - Psychology, Public Policy, and ..., 1995 - psycnet.apa.org

This article examines, from a therapeutic **jurisprudence** (TJ) perspective, the **rights** of institutionalized mentally disabled persons to determine whether TJ is compatible with positions advancing **civil rights** and liberties, and whether lawyers for such individuals ...

☆ **Cited by 103** Related articles All 11 versions Web of Science: 17

[RTF] academia.edu

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The American **civil rights** tradition: Anticlassification or antisubordination

JM Balkin, RB Siegel - Issues in Legal Scholarship, 2003 - degruyter.com

... violations of the anticlassification principle where they saw none before. Considered from this historical vantage point, American **civil rights jurisprudence** vindicates both anticlassification and antisubordination commitments ...

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[PDF] ... Theory of the Fourteenth Amendment: Nineteenth Century Chinese **Civil Rights** Cases and the Development of Substantive Due Process **Jurisprudence**

TW Joo - USFL Rev., 1994 - HeinOnline

IN Yick Wo v. Hopkins, 'the United States Supreme Court stated that the Fourteenth Amendment's Equal Protection<sup>2</sup> and Due Process Clauses<sup>3</sup> apply to all persons within the jurisdiction of a state,' without regard to any differences of race, of color, or of nationality...." ...

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Separate sovereigns, **civil rights**, and the sacred text: The legacy of justice Thurgood Marshall's Indian law **jurisprudence**

R Tsosie - Ariz. St. L.J., 1994 - HeinOnline

When Justice Thurgood Marshall stepped down from the Supreme Court, many people mourned the loss of his vision of equality, **civil rights**, and justice. Marshall's vision lives on in his opinions, however, providing a legacy for future courts grappling with difficult issues such ...

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[Martha Albertson Fineman](#)  
Emory University School of Law  
Keywords: equality, constitutional law, critical theory, feminism, gender, race, class, disability, social ...
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Number of pages: 61 • Posted: 24 Mar 2008 • Last Revised: 01 Aug 2014  
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University of Cincinnati - College of Law and University of Cincinnati - College of Law  
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## Full-Text Articles in Law

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Mar 2004

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

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Search Tips

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## CRITICAL RACE THEORY AND CLASSICAL-LIBERAL CIVIL RIGHTS SCHOLARSHIP: A DISTINC...

↓ Related documents

82 CALR 787 • Roy L. Brooks, Mary Jo Newborn • California Law Review (Approx. 81 pages)

Document

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82 Calif. L. Rev. 787

California Law Review  
July 1994

Symposium: Critical Race Theory  
Roy L. Brooks<sup>d</sup> Mary Jo Newborn<sup>dd</sup>

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# 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.<sup>1</sup>

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- 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](http://www.clearinghouse.net)
- [www.SCOTUSblog.com](http://www.SCOTUSblog.com)
- Website of advocacy organization or law firm involved in litigation
- Contemporary news articles



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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)
- Disability Rights-Pub. Accom.
- Education
- Election/Voting Rights
- Environmental Justice
- Equal Employment
- Fair Housing/Lending/Insurance
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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



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12.05.12	<a href="#">Lyle Denniston</a>	<a href="#">Fast-track effort on new race case</a>
08.13.12	<a href="#">Lyle Denniston</a>	<a href="#">Government backs U. Texas on use of race</a>
06.28.12	<a href="#">Ilya Somin</a>	<a href="#">A taxing, but potentially hopeful decision</a>
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[Race and Inequality in Education \(18\)](#)[Race and Criminal Justice \(15\)](#)[Race and Economic Justice \(8\)](#)[Affirmative Action \(4\)](#)[SHOW MORE](#)

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[2019 \(9\)](#)[2018 \(9\)](#)[2017 \(7\)](#)[2016 \(7\)](#)[2015 \(6\)](#)[SHOW MORE](#)

### YOUR SEARCH RESULTS

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### 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

claims under the Fourteenth Amendment and Title VI of the Civil Rights Act of 1964 against the Department's practice of stopping people based on their race or ethnicity.

*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

# News, blogs & web searching

- Web
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- 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

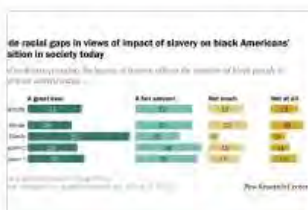
# Public policy studies & analysis



- 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>



# Race and Ethnicity

Follow the RSS feed for this page: 

PEW RESEARCH CENTER | JUNE 17, 2019

## 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.



PEW RESEARCH CENTER | MAY 22, 2019

## 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.



PEW RESEARCH CENTER | MAY 21, 2019

## 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.

### REFINE YOUR RESULTS

☒ Filtered to 2019

☒ Filtered to Social Trends

### CHANGE YEAR FILTER

<b>2019</b>	2018	2017	2016
2015	2014	2013	2012
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**Social Trends**

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Science

Methods

MAY 21, 2019



# 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 (61%). And in a [survey shortly before last year's midterm elections](#), 79% of blacks – compared with 32% of whites – said the way racial and

## RELATED

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From courts to cops to shops: Where blacks perceive discrimination

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Divide between blacks and whites on police runs deep

FACT TANK | AUGUST 28, 2013

The black-white and urban-rural divides in perceptions of racial fairness

PEW RESEARCH CENTER | APRIL 9, 2019

Key findings on Americans' views of race in 2019

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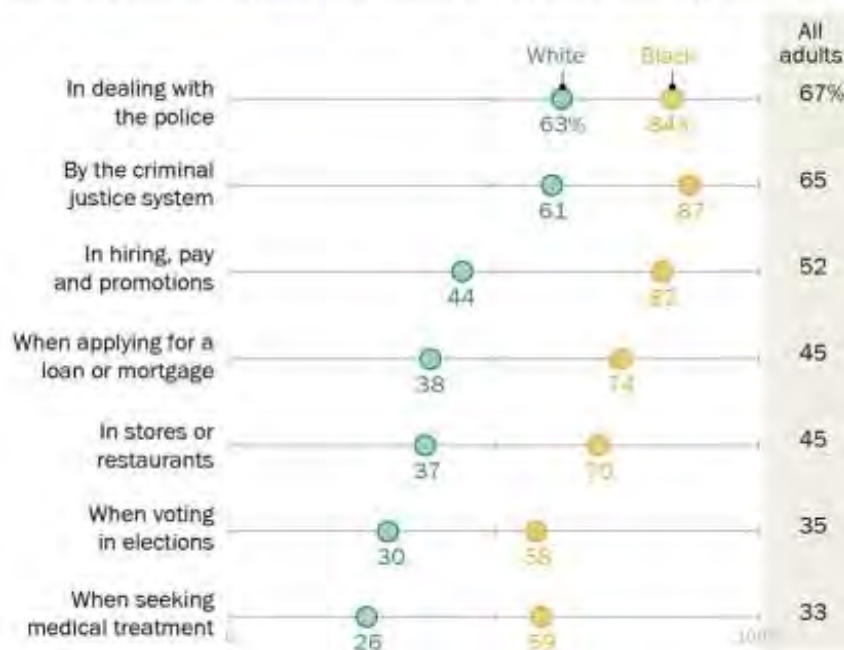
## Majorities of black and white adults say blacks are treated less fairly than whites in dealing with police and by the criminal justice system

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.

### Whites and blacks differ widely in views of how blacks are treated

*% of whites and blacks saying, in general in our country these days, blacks are treated less fairly than whites in each of the following situations*



Note: Whites and blacks include those who report being only one race and are non-Hispanic. "In dealing with the police" and "By the criminal justice system" were asked of separate random subsamples of respondents.

Source: Survey of U.S. adults conducted Jan. 22-Feb. 5, 2019.  
"Race in America 2019"

PEW RESEARCH CENTER

DATA VISUALIZATION

## National Opioid Misuse Community Assessment Tool

The National Opioid Misuse Community Assessment Tool reveals county-level correlations between overdose deaths and community factors across the United States.

USE THE TOOL



### Marc Hernandez Appointed to Age of Learning's Curriculum Board

Dr. Marc Hernandez, Senior Research Scientist in NORC's Academic Research Centers, has been appointed to the Education Technology Leader Age of Learning's Curriculum Board. Hernandez will help guide program development and advise on efficacy research and evaluation.



## Published Research

### Refine

Refine by keywords



### Filter

APPLY FILTERS

#### Publication Type

- ☐ Article (2406)
- ☐ Book (528)
- ☐ Data and Findings (136)
- ☐ Presentation (113)
- ☐ Report (6107)

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- ☐ Education, Training, and Learning (812)
- ☐ Global Development (288)
- ☐ Health and Well-Being (1,647)
- ☐ Society, Media, and Public Affairs (947)

#### Experts

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Article

"Health Benefits in 2019: Premiums Inch Higher, Employers Respond to Federal Policy.", Claxton, G., Rae, M., Damico, A., Young, G., McDermott, D. and Whitmore, H.W., 2019 (forthcoming)

*Health Affairs*, first online September 25, 2019.

Article

"Acceptance of New Clients by Mental Health Clinicians in Massachusetts: Findings from a Representative Survey.", McClellan, S.R., Sirkin, J.T., Pfefferle, S., Hunt, M. and Olsho, L.E.W., 2019 (forthcoming)

*Psychiatric Services*, first online September 25, 2019.

Article

"Underutilized Strategies in Traffic Safety: Results of a Nationally Representative Survey.", Fell, J.C., 2019 (forthcoming)

*Traffic Injury Prevention*, first online September 24, 2019.

Article

"Pay-for-Success Development in the United States: Feasible or Falling to Launch?", Heinrich, C.J. and Kabourek, S.E., 2019 (forthcoming)

*Public Administration Review*, first online September 4, 2019.

Article

"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)

*Journal of Public Health Management & Practice*, first online August 2, 2019.

# 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

# Public Records



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# 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!!

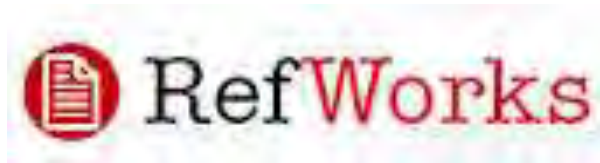


# Note-taking apps



# Document AND citation management

# zotero



EndNote

## Typical features include:

- Free or premium upgrade
- Web, client, mobile apps
- PDF storage & annotation
- Cloud & local storage
- Web content capture
- Citation style (“bibliographic utility”)

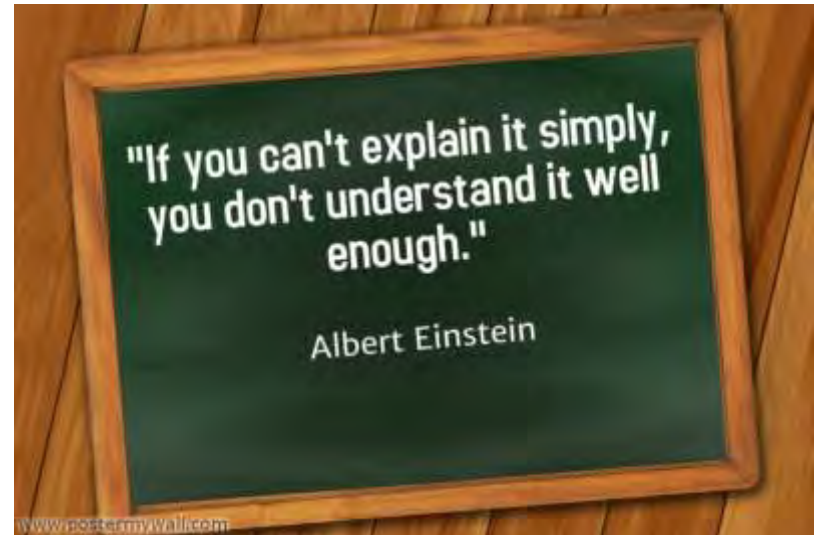
# Note-taking tips

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



# 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>

# Footnote Citation Styles

Follow the citation format used in your course materials.

- Books
- Secondary Sources
- Websites

# Contact us

Drop by the desk:

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- F 9am–5pm
- Su noon–4pm

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Chat:

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