

## TREVOR GEORGE GARDNER

*Vice Dean for Research and Faculty Development & Professor of Law*

Washington University in St. Louis, School of Law

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### ACADEMIC POSITIONS

#### **Washington University in St. Louis, School of Law, St. Louis, MO**

Vice Dean for Research and Faculty Development, 2024 – present

Professor of Law, 2021 – present

Assistant Professor of Law, 2019 – 2021

Affiliated Faculty, *Department of Sociology*

Faculty Fellow in Residence, *Center for the Study of Race, Ethnicity & Equity*, Spring 2022

*Service:* Race & Ethnicity Hiring Cluster, Review Committee (Chair), Faculty Appointments Committee (Law), Faculty Appointments Committee (Sociology), Library Director Search Committee, Mass Incarceration Summer Reading Group (Admitted Students), Faculty Appointments Subcommittee for Constitutional Law.

#### **University of Chicago Law School, Chicago, IL**

Visiting Professor of Law, Fall 2021

#### **University of Washington School of Law, Seattle, WA**

Assistant Professor of Law, 2016 – 2019

*Service:* Faculty-Leadership Working Group (central campus), Clinical Tenure Research Committee, [New Americans Campaign](#), Academic Research and Intellectual Life Committee.

#### **New York University School of Law (NYU), New York, NY**

Faculty Fellow, 2014 – 2016

### EDUCATION

#### **Harvard Law School, Cambridge, MA**

JD, June 2003

Co-Editor-in-Chief, *Harvard BlackLetter Law Journal*

#### **University of California, College of Letters & Sciences, Berkeley, CA**

PhD, Sociology, Fall 2014

Dissertation: “The Safest Place: Immigrant Sanctuary in the Homeland Security Era”

Berkeley Empirical Legal Studies Fellowship (BELS)  
Center for Ethnographic Research Fellowship  
Institute for the Study of Societal Issues Fellowship (ISSI)  
Youth Violence Prevention Graduate Fellowship  
National Science Foundation Graduate Research Fellowship (NSF)  
Herbert Blumer Prize (UC Berkeley, Department of Sociology)  
Allan Sharlin Memorial Award (UC Berkeley, Institute for the Study of Societal Issues)  
Mike Synar Graduate Research Fellowship (UC Berkeley, Institute for the Study of Governmental Issues)

**University of Michigan, College of Literature, Science, and the Arts**, Ann Arbor, MI  
BA with High Distinction, Sociology, May 1999

## PUBLICATIONS

### LAW REVIEW ARTICLES & ESSAYS

*On the Racial Disparities in Criminal Law*, in RACE, RACISM, AND THE LAW (forthcoming 2025, Aziza Ahmed & Guy-Uriel Charles, eds.).

*Auditing Criminal Justice Minimalism*, WASH U. J.L. & POL'Y (symposium contribution).

Matthew Guariglia, *Police and the Empire City: Race and the Origins of Modern Policing in New York*, 130 AM HIST. REV. 976 (2025) (book review).

*The Reach of Legal Cynicism: A Comment on Tommie Shelby's "The Idea of Abolition."* CRIM. LAW PHILOS. (2025).

*Police Diversity Theory*, THE J. CRIM. L. & CRIMINOLOGY (2024).

*The Conflict Among African American Penal Interests: Rethinking Racial Equity in Criminal Procedure*, 171 U. PA. REV. 1699 (2023) (profiled in Jotwell: <https://crim.jotwell.com/racial-equity-reform-and-abolition-in-the-american-criminal-legal-system/>).

*Regulating Police Chokeholds* (with Esam Al-Shareffi), 112 THE J. CRIM. L. & CRIMINOLOGY ONLINE (2022).

*By Any Means: A Philosophical Frame for Rulemaking Reform in Criminal Law*, 130 YALE L.J. FORUM (2021).

*Law and Order as the Foundational Paradox of the Trump Presidency*, 73 STAN. L. REV. ONLINE 141 (2021).

*Police Violence and the African American Procedural Habitus*, 100 B. U. L. REV. 849 (2020) (symposium contribution).

*Immigrant Sanctuary as the "Old Normal": A Brief History of Police Federalism*, 19 COLUM. L. REV. 1 (2019).

*Right at Home: Modeling Sub-Federal Resistance as Criminal Justice Reform*, 46 FLA. ST. U. L. REV. 527 (2019) (profiled in *Jotwell*: <https://crim.jotwell.com/local-resistance-and-criminal-law-reform/>).

*The Promise and Peril of the Anti-Commandeering Rule in the Homeland Security Era: Immigrant Sanctuary as an Illustrative Case*, 34 ST. LOUIS U. PUB. L. REV. 313 (special issue on “The New Civil War”) (2015).

*Racial Profiling as Collective Definition*, 2 SOCIAL INCLUSION 52 (2014) (peer-reviewed).

*The Political Delinquent: Crime, Deviance, and Resistance in Black America*, 20 HARV. BLACKLETTER L.J. 141 (2004).

#### OTHER WRITING

*The Promise of Radical Crime Policy*, JOTWELL (January 11, 2022) (<https://crim.jotwell.com/the-promise-of-radical-crime-policy/>).

*What Would MLK Do?: A Civil Rights Model of “Good Citizenship” in Criminal Procedure*, JOTWELL (September 9, 2020) (<https://crim.jotwell.com/?s=Bennett+capers>).

*Crime Policy and Federalism* in FEDERALISM IN AMERICA: AN ENCYCLOPEDIA (2018) (with Lisa L. Miller).

*THE CAP EFFECT: RACIAL PROFILING IN THE ICE CRIMINAL ALIEN PROGRAM*, THE CHIEF JUSTICE EARL WARREN INSTITUTE ON LAW AND SOCIAL POLICY, BERKELEY LAW CENTER (2009) (with Aarti Kohli).

#### WORKING PAPERS

*Normative Criminal Federalism* (in progress).

*A Brief History of Criminal Nationalism* (book manuscript) (in progress).

### OTHER EXPERIENCE

#### **The Public Defender Service for the District of Columbia (PDS) (Washington, DC) – Fall 2003 to Fall 2006.**

*Staff Attorney*: Litigated criminal cases from arraignment to disposition in the Juvenile and General Felony divisions of PDS from 2003 to 2006. Served as lead counsel in three jury trials and six bench trials. Served as junior counsel in homicide cases at the juvenile and adult levels. Led negotiations with the United States Attorney’s Office for the District of Columbia for various client matters, including plea negotiation, discovery, and pre-trial release. Managed all aspects of witness preparation. Served as a member of the PDS Hiring

Committee in 2005.

**Alston and Bird, LLP (Washington, DC) – Summer 2002.**

*Summer Associate:* Wrote legal memoranda on a variety of corporate regulatory issues including environmental protection, telecommunications, and corporate finance.

**The Public Defender Service for the District of Columbia (PDS) (Washington, DC) – Summer 2001.**

*Law Clerk:* Assisted staff attorneys at the Felony I level in all aspects of criminal defense litigation.

**NAACP Legal Defense and Educational Fund (LDF) (New York, New York) – Fall 1999 to Fall 2000.**

*Paralegal:* Performed data analysis to assess racially polarized school districts and university admissions practices. Drafted reports based on transcripts from state congressional meetings and civil depositions. Conducted preliminary research to support the filing of civil rights lawsuits.

## REFEREE SERVICE

The Yale Law Journal  
Harvard Law Review  
The University of Chicago Law Review  
Washington University Law Review  
University of Washington Law Review  
Punishment and Society  
American Sociological Review

## ORGANIZER

Criminal Justice Minimalism Symposium, WASHINGTON LAW REVIEW (Spring 2024).

Criminal-Legal Theory Workshop, Washington University in St. Louis, School of Law (Fall 2024).

## INTERVIEWS

CNN One Thing: [\*What Trump's DC Takeover is Really About\*](#), CNN PODCASTS, (August 17, 2025).

Cara Kelly, [\*Rayshard Brooks video: Legal scholars break down key moments in shooting timeline\*](#), USA TODAY (June 17, 2020).

Eric Schmid, [\*Madison County Residents With a Criminal Record Have a Chance to Wipe the Slate Clean\*](#), ST. LOUIS PUBLIC RADIO (September 26, 2019).

## SELECTED PRESENTATIONS

*Balancing Patient Welfare and Workplace Safety: Workplace Violence Webinar Series* (Henry Ford Hospital & Michigan State University, 2024) (with Professor Ji Seon Song).

*Criminal Justice Minimalism: The Call for Less* (Annual Criminal Theory Workshop, Washington University in St. Louis School of Law, 2024).

*Police Diversity Theory* (Langston Writers' Workshop, Northwestern Pritzker School of Law, 2024).

*Police and Local Government Roundtable* (Annual Meeting of the Law and Society Association, 2024).

*On the Racial Disparities in Criminal Law* (Race, Racism, and the Law Handbook Conference, Harvard Law School, 2024).

*Police Diversity Theory* (Criminal Law Colloquium, University of Virginia School of Law, 2024).

*Auditing Criminal Justice Minimalism* (Criminal Justice Minimalism Symposium, Washington University in St. Louis School of Law, 2024).

*The Conflict Among African American Penal Interests: Rethinking Racial Equity in Criminal Procedure* (Crime Policy Seminar, Cardozo Law School, 2023).

*Racism and the Bridge Between Social Theory and Criminal Law* (Faculty Workshop, NYU Law School, 2023).

*Racism and the Bridge Between Social Theory and Criminal Law* (Faculty Workshop, Penn Law School, 2023).

*The Case Against Criminal Nationalism* (CrimFest Annual Conference, Brooklyn Law School, 2023).

*The Reach of Legal Cynicism: A Comment on Tommie Shelby's 'The Idea of Abolition'* (AALS 2023 Annual Meeting, 2023).

*Rethinking Racial Equity in Criminal Procedure* (Politics, Ethics, and Society Workshop, Washington University in St. Louis, 2022).

*Racial Equity in Criminal Procedure* (Law of Police Conference, University of South Carolina, 2022).

*Racial Equity in Criminal Procedure* (Criminal Justice Roundtable, Stanford Law School, 2022).

*Racial Equity in Criminal Procedure* (Faculty Workshop, University of Michigan Law School, 2022).

*Racial Equity in Criminal Procedure* (Faculty Colloquium, Denver Law School, 2022).

*Racial Equity in Criminal Procedure* (Faculty Workshop, University of Chicago Law School, 2022).

*Police Violence and the African American Habitus* (University of Colorado, 2021).

*Are the Police the Key to Public Safety? The Case of the Unhoused* (Academy for Justice Distinguished Lecture, respondent, 2021).

*Rethinking Police Diversity* (2021 Culp Colloquium, University of Chicago Law School, 2021).

*Regulating Police Chokeholds* (Virtual Crim Workshop Series, University of Virginia School of Law, 2021).

*Normative Criminal Federalism* (Langston Writer's Workshop, Berkeley Law, 2021).

*The Two Faces of Law-and-Order* (Reckoning and Reformation: Reflections and Legal Responses to Racial Subordination and Structural Marginalization, Duke University School of Law, 2020).

*By Any Means: A Philosophical Frame for Rulemaking Reform in Criminal Law* (Yale Law Journal Legal Scholarship Workshop, Yale Law School, 2020).

*Criminal Nationalism in a Federalist Society* (Criminal Justice Workshop, Cardozo School of Law, 2020).

*Criminal Nationalism in a Federalist Society* (2020 Culp Colloquium, Stanford Law School, 2020).

*Police Violence and the African-American Habitus* (Constitutional Law Colloquium, University of Illinois College of Law, 2020).

*Police Violence and the African-American Habitus* (Fordham Law Faculty Workshop, Fordham School of Law, 2020).

*Police Violence and the African-American Habitus* (Boston University Law Review 2019 Symposium: Beyond Bad Apples: Exploring the Legal Determinants of Police Violence, Boston University School of Law, 2019).

*The Trouble with Police Diversity* (2019 Culp Colloquium, Duke University School of Law, 2019).

*The Trouble with Police Diversity* (2019 Yale Law Criminal Justice Roundtable, Yale Law School, 2019).

*Immigrant Sanctuary as the 'Old Normal': A Brief History of Police Federalism* (UC Berkeley Institute for the Study of Social Issues, 2019).

*Immigrant Sanctuary as the 'Old Normal': A Brief History of Police Federalism* (2018 Vanderbilt Law Criminal Justice Roundtable, Vanderbilt Law School, 2018).

*Immigrant Sanctuary as the 'Old Normal': A Brief History of Police Federalism* (Washington and Lee School of Law, 2018).

*Immigrant Sanctuary as the 'Old Normal': A Brief History of Police Federalism* (2017 Rocky Mountain Junior Scholar Forum, Brigham Young University School of Law, 2017).

*A Brief History of Criminal Federalism* (2017 Culp Colloquium, Duke University School of Law, 2017).

*A Brief History of Criminal Federalism* (2017 Law and Society Association Annual Meeting, 2017).

*Right at Home: Sub-Federal Resistance as the Present and Future of Criminal Justice Reform* (2016 UW/SU Junior Faculty Exchange, Seattle University School of Law, 2016).

*Right at Home: Sub-Federal Resistance as the Present and Future of Criminal Justice Reform* (2016 Rocky Mountain Junior Scholar Forum, University of Utah College of Law, 2016).

*Immigrant Sanctuary as Independent Crime Governance* (2016 Law and Society Association Annual Meeting, 2016).

*The American Sanctuary: Where Combative Federalism Meets Criminal Justice Reform* (2015 Culp Colloquium, Duke University School of Law, 2015).

*Immigrant Sanctuary and the Return of Federalist Penology* (2015 Law and Society Association Annual Meeting, 2015).

*Promoting Police Transparency in 'Excessive Force' Cases* (Institute of Judicial Administration Public Policy Series, New York University School of Law, 2015).

*A Conversation on Police and Community Relations* (White & Case, LLP, 2015).

*Immigrant Sanctuary and the Nullification of Enforcement in American Social Life* (2013 Annual Meeting of the American Sociological Association, 2013).

*Immigrant Sanctuary as Collective Enforcement-Noncooperation: Rethinking the Consequences of Illegitimacy in Criminal Administration* (2013 Law and Society Association Annual Meeting, 2013).

*Federalism and the American Penal State* (2012 Annual Conference of the Social Science History Association, 2012).

*Federalism and the American Penal State* (2012 Annual Meeting of the American Sociological Association, 2012).

*Thematic Session on Race and Racial Justice* (Presider, 2012 Annual Meeting of the American Sociological Association, 2012).

*Policing a Nation: Federalist Governance and Criminal Administration in America* (2012 Annual Meeting of the American Society of Criminology, 2012).

## **PROFESSIONAL AFFILIATIONS**

American Sociological Review, Editorial Board

Law and Society Association, Member

American Sociological Association, Member

Washington D.C. Bar Association, Member