

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

**KHADIDAH STONE, et al.,**

**Plaintiffs,**

**v.**

**WES ALLEN, in his official capacity as  
Alabama Secretary of State, et al.**

**Defendants.**

**Case No. 2:21-cv-01531-AMM**

**EXPERT REPORT OF DR. WILFRED REILLY**

**I. Credentials and Qualifications**

I am an Associate Professor of Political Science at Kentucky State University, a historically Black institution. I hold a PhD from Southern Illinois University (awarded 2015) and a law degree from the University of Illinois (2005): my focus fields, per the PhD and in my current teaching, are Public Law, International Relations, and Political Theory. At “KYSU,” I regularly teach in the areas of Constitutional law, criminal law, statistical methodology, and research methodology. I am also, perhaps unsurprisingly, expected to write, and am the author of the books *Hate Crime Hoax* (2019) and *Taboo* (2020) – along with two other books.

A focus of my research, as a statistician, is examining the effect of multivariate regression analyses which incorporate large-N datasets on the outcome gaps between American racial groups which are often used to argue for the continuing or unchanged existence of

“systemic racism<sup>1</sup>” – or even for the genetic inferiority of certain races by the bizarre alt-right.<sup>2</sup> I very often find that such gaps are reduced quite significantly, or even are eliminated entirely, when other relevant variables are (1) actually taken into account and (2) properly adjusted for.

I have published fairly extensively, on this topic and others. During the past 365-day year, I have been – in addition to an accepted (popular press) solo book manuscript<sup>3</sup> – a contributor to a major article recently published in *The Proceedings of the National Academy of the Sciences* (PNAS),<sup>4</sup> an author on a quantitative piece in *Administration and Society*,<sup>5</sup> and the author of an article in *Middle West Review*.<sup>6</sup> More broadly, my writing has appeared during the past several years in *Commentary*, *Quillette*, *Academic Questions*, *Newsweek*, *National Review*, *Tablet*, and a range of other journals and periodicals.

I am being compensated for my work related to this case at the rate of \$500 (U.S.) dollars per hour. This rate is in no way dependent on my findings, which I reserve the full and complete right to adjust. My full curriculum vitae is attached to this report.

## **II. Introduction**

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<sup>1</sup> See, for example: Kendi, Ibram. 2023 (ed.). *How to Be and Anti-Racist*. New York: One World Press - <https://www.amazon.com/dp/0525509305/>.

<sup>2</sup> For a good early overview of this movement, see: Swain, Carol. 2004. *The New White Nationalism in America: It's Challenge to Integration*. Cambridge (UK): Cambridge University Press - <https://www.amazon.com/New-White-Nationalism-America-Integration/dp/0521545587>.

<sup>3</sup> Reilly, Wilfred. 2024. *Lies My Liberal Teacher Told Me*. New York: Bombardier/Harper Collins - [https://www.amazon.com/Lies-My-Liberal-Teacher-Told/dp/0063265974/ref=sr\\_1\\_1?crid=4N9X9XDQGDD6&keywords=lies+my+liberal+teacher+told+me&qid=1703200620&sprefix=lies+my+libe%2Caps%2C126&sr=8-1](https://www.amazon.com/Lies-My-Liberal-Teacher-Told/dp/0063265974/ref=sr_1_1?crid=4N9X9XDQGDD6&keywords=lies+my+liberal+teacher+told+me&qid=1703200620&sprefix=lies+my+libe%2Caps%2C126&sr=8-1).

<sup>4</sup> Clark, Cory J., Lee Jussim, Komey Frey... (Wilfred Reilly), Von Hippel et al. 2023. “Pro-Social Motives Underlie Scientific Censorship by Scientists: a Perspective and Research Agenda.” *Proceedings of the National Academy of Sciences (PNAS)*. 120 (48): <https://www.pnas.org/doi/10.1073/pnas.2301642120>.

<sup>5</sup> Maranto, R., Reilly, W., & Wolf, P. J. (2024). Which Police Departments Make Black Lives Matter? *Administration & Society*, 56(3), 282-303. <https://doi.org/10.1177/00953997241226892>.

<sup>6</sup> Reilly, Wilfred. 2023. “Imagining Supremacy.” *Middle West Review*. 9 (2): 157-163 - <https://muse.jhu.edu/issue/49320>.



From a social science standpoint, the key argument being made against the state of Alabama is that the Yellowhammer State is experiencing racially polarized voting (and sizable differences in voter turnout and behavior), that these patterns are due to Alabama-specific past or contemporary racism, and that more minority-friendly districting patterns are needed to remedy this situation. However, the 1<sup>st</sup> and 2<sup>nd</sup> claims just outlined empirically seem to be incorrect.

Patterns of electoral partisanship by race in the state of Alabama correlate at more than .9 with national patterns, and thus almost certainly are not due to the locally unique variable of racism. Indeed, this reflects what has become a fairly common finding in quantitative social analysis, particularly from the “center right” (see O’Neill 1990; McWhorter 2000; O’Neill 2005; Sowell 2005; Reilly 2020): gaps in performance which are observed among major U.S. population groups in 2024, and attributed to bias, regularly shrink or vanish when other factor variables are competently adjusted for.

Additionally, the proposed majority-minority district likely to result from re-districting seems to make little sense in the context of any goal but securing more votes for the Democratic Party. The rural counties and larger cities proposed for combination have very little in common in terms of population, density, crime rate, or median income. Further, past migration from the “Black Belt,” which might be argued to create a legal “community of interest” was in fact far more directed toward large Northern U.S. cities than toward the smaller MSAs of Alabama.

### **III. Scope and Outline of Report.**

In my expert role, I was asked to examine and respond to the following questions:

- 1) Is there anything unique to Alabama about the alleged existence of racially polarized voting, or are any patterns of racially polarized voting in Alabama mirrored across the nation?

- 2) Are any alleged disparities in voter registration rates and voter turnout between black and white Alabamians best explained as a result of past or present racial discrimination, or do other factors and variables better explain such disparities?
- 3) Relatedly, what effect might disparities in educational performance, family structure, incarceration rates, and other variables have upon voter registration and turnout?
- 4) In turn, are these tertiary variables best explained as caused by past or present racism?

My responses appear below.

#### **IV. Voting and Electoral Partisanship by Race**

The first point just made, about national rates of partisan voting by race, is perhaps the simplest and most critical. In his expert report, the University of Utah's Dr. Baoduong Liu argues that Alabama, and specifically multiple large Alabama cities, clearly displays racially polarized voting (RPV) – with whites almost never voting for “Black preferred candidates (BPC)” and Blacks almost never voting for “white preferred candidates (WPC).” However, there is an obvious tertiary independent variable begging for inclusion in the model here. Most Black Alabamian taxpayers are Democrats, most white Alabamian taxpayers are Republicans, and the elections broken out by Dr. Liu follow this pattern to such an extent that race becomes totally non-predictive in a simple regression which incorporates candidate partisanship.<sup>7</sup>

Of the 11 Montgomery and Huntsville BPC outlined in the Liu Report, all eleven – Yolanda Flowers, Will Boyd, Wendell Major, Pamela Lafitte, Anita Kelly, Mr. Boyd again, Miranda Joseph, Cara McClure, Lula Albert-Kaigler, James Fields, and Ms. Joseph again - were

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<sup>7</sup> In fact, the effects of the two variables are statistically impossible to distinguish, and the “race” variable was dropped from my model by the analytical software (STATA).



partisan Democrats, while all of the WPC were Republicans. These candidates received, respectively and in the order given, 94.3%, 95%, 95.9%, 95.7%, 95.6%, 95.8%, 92.8%, 96.6%, 91.3%, 89.6%, and 93.0% of the African-American vote in Montgomery.<sup>8</sup> They received, respectively and in the order given, 89.7%, 82.2%, 84.7%, 86.5%, 86.4%, 91.1%, 92.8%, 93.6%, 82.8%, 84.5%, and 89.9% of the African-American vote in Huntsville. Simply summing and then dividing the BPC vote totals for both communities gives us two-city BPC averages of 92%, 88.6%, 90.3%, 91.1%, 91%, 93.4%, 92.8%, 95.1%, 87.1%, 87.1%, 91.4%.

Rather remarkably, those percentages are in line with the breakdown of Black voters not merely across the state of Alabama but nationally. While data on rates of voting by race in individual state-level elections across every state can be challenging to obtain, data on current party registration, and individual stated affiliation, by race is obtainable.<sup>9</sup> As of 2023, as you can see in Figure One, just 11% of Black Alabamians voted or even leaned Republican, statewide.

Alabama is not atypical. The equivalent figures for other states and state-proxy regions with sufficiently large-N data-bases for Pew to analyze were: 8% (California), 6% (Washington D.C.), 8% (Florida), 12% (Georgia), 9% (Illinois), 8% (Louisiana), 8% (Maryland), 8% (Michigan), 12% (Mississippi), 9% (New York state), 10% (North Carolina), 13% (Ohio), 6% (Philadelphia), 7% (South Carolina), 9% (Texas), and 8% (Virginia). The average percentage of Black Republican partisans across these states was 8.29%. In contrast, the percentage of African

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<sup>8</sup> I am using Dr. Liu's report as a source for this data. However, all of it is also available via the political resource Ballotpedia – which contains for example this “outcomes” page for Yolanda Flowers: [https://ballotpedia.org/Yolanda\\_Flowers](https://ballotpedia.org/Yolanda_Flowers)

<sup>9</sup> I use a Pew Research database of selected states, available here (<https://www.pewresearch.org/religion/religious-landscape-study/compare/party-affiliation/by/state/among/racial-and-ethnic-composition/black/>) for this data.

Americans who identified with the Democratic Party was above 70% in every state mentioned, and at or above 80% in six of 17 – including Alabama.

**Figure One: Party Affiliation Among Blacks by State**

STATE	REPUBLICAN/LEAN REPUBLICAN	NO LEAN	DEMOCRAT/LEAN DEMOCRAT
Alabama	11%	9%	80%
California	8%	16%	75%
DC	6%	18%	76%
Florida	8%	15%	76%
Georgia	12%	15%	73%
Illinois	9%	12%	80%
Louisiana	8%	11%	80%
Maryland	8%	7%	86%
Michigan	8%	11%	81%
Mississippi	12%	12%	76%
New York	9%	15%	76%
North Carolina	10%	11%	79%
Ohio	13%	13%	74%
Pennsylvania	6%	10%	84%
South Carolina	7%	15%	78%
Texas	9%	15%	76%
Virginia	8%	16%	76%

Data from: <https://www.pewresearch.org/religion/religious-landscape-study/compare/party-affiliation/by/state/among/racial-and-ethnic-composition/black/>



If the cities of Alabama are “racially polarized,” then so is the state entire. And if Alabama is racially polarized than so is every other large state in the USA. At some point, we may wish to question whether the simple reality of consensual voting for different political parties by large American groups is in fact evidence of continuing polarization along specifically racial lines at all.<sup>10</sup>

## **V. Voter Registration and Turnout**

Another lengthy pro-plaintiff expert report, this one from Dr. Traci Burch of Northwestern University, displays the same tendency to identify a real/mappable issue and then essentially attribute it to race or racism. Dr. Burch’s core point is that “racial disparities in voter registration and turnout exist in Alabama.” More specifically, according to figures from the Alabama Secretary of State, “Black Alabamians were registered to vote at lower rates than white Alabamians for the 2022, 2020, and 2018 general elections,” and in fact did vote at lower rates “in both the 2020 and 2018 general elections.” The obvious argument here is that this reality of a somewhat lower rate of turn-out represents – either directly or through an intervening variable

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<sup>10</sup> This topic is actually a fascinating one. Another lengthy Pew Research report – “Party Affiliation among Voters: 1992-2016 (<https://www.pewresearch.org/politics/2016/09/13/2-party-affiliation-among-voters-1992-2016/>)” points out that group disparities in partisan preference and recorded vote totals are very common, and nowadays often do not track with historic ethnic conflict at all. For example, 47% of Hispanics identify as Democrats while only 16% identify as Republicans. In contrast, 76% of Evangelical Protestants are Republicans (or lean Republican): just 20% are Democrats. 73% of non-white Millennials, most of whom are not Black, are Democrats or lean Dem: just 19% back the Pachyderm option on the ballot. 48% of Mormons are Republicans, while just 13% are Democrats – but 74% of American Jews are Democrats or lean that way, while just 24% are Republicans or lean Republican. Even when they exist between racial groups, these gaps often seem to have nothing to do with race itself. At least at the national level, Black voters are not significantly less likely to cast ballots for white Democrats than for Black Democrats: African American voters broke 87% for Joe Biden in 2020 (<https://www.statista.com/statistics/1184425/presidential-election-exit-polls-share-votes-ethnicity-us/>) and 89% for Hillary Clinton in 2016 (<https://ropercenter.cornell.edu/how-groups-voted-2016>) after giving Barack Obama 93-94% of the bloc’s vote in his elections.

such as poverty caused by bias – an unfair direct harm to Black Alabamians which the courts can and should remedy.

However, it strikes me that there is no reason to assume this. Six decades after the Civil Rights Act,<sup>11</sup> and following a truly massive focus on registering and turning out minority voters in Alabama and throughout the United States,<sup>12</sup> we cannot simply make the default assumption that group variances in voting behavior are caused by historical or contemporary. As Dr. Burch herself notes, for example, multiple tertiary variables such as performance in school indisputably predict turnout: “Of (all) components of socioeconomic status, educational attainment is the most important predictor of voting. In fact, ‘The powerful relationship between education and voter turnout is arguably the most well-documented and robust in American survey research...research also shows that the relationship between education and voting is a causal one.’<sup>13</sup>”

#### **A. Tertiary Variable (1): Educational Performance**

The next-step argument, generally and in the plaintiff’s experts’ reports, is that all tertiary variables like group differences in educational performance themselves almost entirely reflect the effects of racism. As Burch puts it: “The racial disparities shown...are caused, in part, by historical and contemporary discrimination in education that make Black Alabamians less likely to have graduated from high school and college relative to white Alabamians.” In what it can

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<sup>11</sup> The law usually described by this name passed July 2, 1964: <https://www.archives.gov/milestone-documents/civil-rights-act>.

<sup>12</sup> People for the American Way’s “Defend the Black Vote” initiative is a representative example of the dozens of campaigns, well-known in the field of political science, which focus specifically and only on mobilizing Black voters: <https://www.pfaw.org/defend-the-black-vote/>.

<sup>13</sup> Her source for these quotes, a fine article indeed, is: Sondheimer, Rachel Milstein, and Donald P. Green. “Using Experiments to Estimate the Effects of Education on Voter Turnout.” *American Journal of Political Science*. 54 (1): 174-189.



fairly be said is presented as an Alabama-specific problem, she notes: “White residents fare better in *every county* relative to Black residents.”<sup>14</sup>

However, the awkward reality is that white students perform better educationally than Black students in every single state, and in almost every single county of the United States – i.e., Alabama is in no way an outlier here – and racism seems to have very little to do with this: the size of contemporary group gaps in SAT scoring and college attendance correlates only slightly with documented levels of historical racism.<sup>15</sup> Per a nationwide summary of Scholastic Aptitude Test (SAT) scores produced by the U.S. Department of Education following the typical year of 2019, which can be accessed in this report as Figure Two, the mean-average score for whites was 1114, while the averages for bi-racial students, Hispanics, Pacific Islanders, Blacks, and Native Americans were respectively 1095, 978, 964, 933, and 912. Notably, East and South Asians, who also experience significant racism in the United States, outperformed whites by more than 100 points, bringing home average board scores of 1223.

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<sup>14</sup> Italics mine.

<sup>15</sup> An interesting note here is that racial-group SAT and IQ gaps tend to be *smaller* in the Old South, because – for a variety of reasons which this report will engage, including athletic culture and hours of daily study (see Ogbu 2003) white scores in the region are lower. The business-statistics site Zippia currently has the tested Alabama IQ at 95.7 (<https://www.zippia.com/advice/average-iq-by-state/>), and Alabama Caucasians do not score significantly higher than that – last-place Mississippi currently posts just a 94.2.

**Figure Two: SAT Scoring Averages by Race and Section, USA (2019)****SAT Mean Scores of High School Seniors Taking the SAT, by Sex and Race/Ethnicity: 2019**

Sex and Race/Ethnicity	Mean Score (1)		
	Total SAT Score	Evidence-Based Reading and Writing (ERW)	Math
All Students	1059	531	528
Sex			
Male	1066	529	537
Female	1053	534	519
Race/Ethnicity			
White	1114	562	553
Black	933	476	457
Hispanic	978	495	483
Asian	1223	586	637
Pacific Islander	964	487	478
Native American/Alaska Native	912	461	451
Two or More Races	1095	554	540
No Reponse	959	472	487

(1) Possible scores on each SAT section range from 200 to 800, for a total possible score of 400 to 1600.

SOURCE: U.S. Department of Education, National Center for Education Statistics.  
[https://nces.ed.gov/programs/digest/d19/tables/dt19\\_226.10.asp](https://nces.ed.gov/programs/digest/d19/tables/dt19_226.10.asp)



These score gaps are fairly-to-very consistent across year, region, and the type of school in which learners are enrolled. When I took a look at the same national SAT-means data for the year 2017,<sup>16</sup> for my published book *Taboo*,<sup>17</sup> the large-group averages broke down as: 1181 for Asian-Americans, 1118 for whites/Caucasians, 987 for Hispanics of all races, 986 for Pacific Islanders, 963 for Native Americans,<sup>18</sup> and 941 for African Americans.

When I evaluated the performances of public as vs charter school students in 2021 for the center-right America's Majority Foundation, I obtained a public school average SAT score of 1,109 for all pupils, a charter school average SAT score of 1,021 for all pupils, a public school SAT score of 966 for Black pupils, and a charter school SAT score of 970 for Black pupils. As a direct result, the public school and charter school graduation rates for all pupils were respectively 85% and 78%, while those for Black pupils alone were 78% and 73%. The same trends continued on into the college admissions process: 63% of all public school pupils (albeit only 53% of all charter school pupils), as vs just 54% of Black public schoolers and 55% of Black charter schoolers, proceeded on to do any collegiate study. These data are viewable in Figure Three. Alabama's 'unique' problem with Black/white gaps is in fact a major and well-known national issue.<sup>19</sup>

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<sup>16</sup> "New SAT, Old Gaps on Race" - <https://www.insidehighered.com/news/2017/09/27/scores-new-sat-show-large-gaps-race-and-ethnicity>.

<sup>17</sup> (Reilly 2020) – available here, with the option to read through the 1<sup>st</sup> 20 or so pages:

[https://www.amazon.com/Taboo-Facts-Cant-Talk-About/dp/162157928X/ref=sr\\_1\\_2?crid=1HO8YXWV1NHQT&keywords=wilfred+reilly&qid=1700859357&sprelix=wilfred+%2Caps%2C135&sr=8-2](https://www.amazon.com/Taboo-Facts-Cant-Talk-About/dp/162157928X/ref=sr_1_2?crid=1HO8YXWV1NHQT&keywords=wilfred+reilly&qid=1700859357&sprelix=wilfred+%2Caps%2C135&sr=8-2).

<sup>18</sup> Natives had an unusually good year in 2017, admittedly.

<sup>19</sup> It seems fair to say that the Black/white test-scoring and collegiate attendance gap, and it's omnipresence across all U.S. states and major municipalities, is one of the best-known American civic issues. In addition to a great deal of serious scholarly work, an online encyclopedia article which prints out to 55 single-spaced sheets of paper tackles the topic ( [https://en.wikipedia.org/wiki/Racial\\_achievement\\_gap\\_in\\_the\\_United\\_States](https://en.wikipedia.org/wiki/Racial_achievement_gap_in_the_United_States)), and there exist hundred-

**Figure Three: Public and Charter School Performance by Six Metrics****Public and Charter School Performance by Six Metrics**

School Category	Graduation Rate	Black Graduation Rate	SAT Mean Score	Black SAT Mean Score	College Attendance %	Black College Attendance %
All public schools (State Averages)	85%	78%	1,109	966	63%	54%
All charter schools (State Averages)	78%	73%	1,021	970	53%	55%
Publics: States with Public + Charter data	85%	78%	1,137	964	63%	55%
Charters: States with Public + Charter data	78%	73%	1,020	970	54%	56%

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comment Quora (<https://www.quora.com/Why-is-there-an-achievement-gap-between-black-and-white-students-in-the-U-S>) and Reddit forums devoted to the issue.



America's cross-state racial gaps in aptitude test scores, which are almost totally causal for racial differences in educational attainment, seem to have far less to do with present-day or even historical bias than with cultural practices such as study time. A recent report from the hardly right-wing Brookings Institute pointed out, somewhat hesitantly, that Black American students on average study roughly half as much as white students and 1/3 as much as Asian American students.<sup>20</sup> Professor John Ogbu (2003- previously cited in this report) has made essentially the same point at book length.<sup>21</sup> These academic findings explain many results which contemporary Critical Theory simply struggles to make sense of, like the fact that African American scholars from families making \$200,000 or more per year on average score lower on board tests like the SAT than Asian-Americans from families making \$10,000 per year, and the fact that nose-to-the-textbook Black Nigerian Americans have scored as one of America's best educated population groups at least since 2008.<sup>22</sup>

### **B. Tertiary Variable (2): Mean/Median Age**

Many similarly predictive cultural and stochastic variables exist alongside study time, and all of them must be properly adjusted for before any particular performance gap, which is being analyzed in practice as a dependent variable, can be attributed to racism, "the legacy of racism," etc. A simple and non-controversial example of such a relevant independent variable is

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<sup>20</sup> Hansen, Michael, and Diana Quintero. 2017. "Analyzing 'the homework gap' among High School Students." *Brookings Commentaries*. 10 August: <https://www.brookings.edu/articles/analyzing-the-homework-gap-among-high-school-students/>. Graphic #1 of this report is very worth viewing.

<sup>21</sup> Ogbu, John. 2003. *Black American Students in an Affluent Suburb* (Sociocultural, Political, and Historical Studies in Education). New York: Routledge - <https://www.amazon.com/Black-American-Students-Affluent-Suburb/dp/080584516X>.

<sup>22</sup> Casimir, Leslie. 2008. "Data Show Nigerians the Most Educated in the U.S." *The Houston Chronicle*. 12 January - <https://www.chron.com/news/article/Data-show-Nigerians-the-most-educated-in-the-U-S-1600808.php>.

age. Nationally, the modal average age for a white American is 58, the average for a Black American is 27, and the average for a Hispanic Yank is *eleven*.<sup>23</sup> Roughly the same pattern of age distribution by race exists in the great state of Alabama<sup>24</sup> – and the young are much less likely to vote than the old.<sup>25</sup>

### **C. Tertiary Variables 3-4: Family Structure and Criminal Behavior**

Similarly, the rate of fatherlessness (“non-marital childbearing, by detailed race...and maternal age”) is “only” 35.3% for American whites, as versus 52.6% for all Hispanics, 65.7% for Native Americans and Alaska Natives, and 69% for African Americans - and family stability and the differences in socio-economic status with which it correlates can famously and significantly affect civic participation.<sup>26</sup> Dr. Burch herself points out another variable which very directly affects rates of voter participation: criminal behavior. Overall, “14.7% of otherwise-eligible Black people in Alabama cannot vote due to a relevant felony conviction,” as vs. just 8.5% of the full (AL) citizen population with Blacks included.<sup>27</sup> Importantly, again, there is no reason to think that this last gap is due to bigotry or racism: the victim-. reported African-

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<sup>23</sup> Schaffer, Katherine. 2019. “The Most Common Age for Whites in U.S. Is 58 – More than Double That of Racial and Ethnic Minorities.” Pew Research Online. 30 July - <https://www.pewresearch.org/short-reads/2019/07/30/most-common-age-among-us-racial-ethnic-groups/>.

<sup>24</sup> Per the U.S. Census Bureau and Alabama Department of Public Health, here - <https://www.alabamapublichealth.gov/healthstats/assets/83t2019.pdf>.

<sup>25</sup> Our World in Data. “Election Voter Turnout Rate by Age in the United States.” Available online here: <https://ourworldindata.org/grapher/voter-turnout-rate-by-age-usa>.

<sup>26</sup> U.S. Centers for Disease Control. “Non-Marital Childbearing, by Detailed Race and Hispanic Origin of Mother, and Maternal Age, United States.” Available online here: <https://www.cdc.gov/nchs/data/hus/2017/004.pdf>.

<sup>27</sup> Uggen, Christopher, Ryan Larson, Sarah Shannon, and Robert Stewart. 2022. “Locked Out 2022: Estimates of People Denied Voting Rights Due to a Felony Conviction.” Sentencing Project Papers. 25 October - <https://www.sentencingproject.org/reports/locked-out-2022-estimates-of-people-denied-voting-rights/>.



American violent crime rate, across Alabama and the rest of the United States, is at least 2.4 times the white VCR.<sup>28</sup>

#### **D. A Conclusion Here – a Multi-Variate View of Registration and Turnout**

A final point about the current Alabama gaps in voter registration and turn-out is that – despite the obvious differential effects of such variables as rate of criminal conviction, level of academic performance, and plain age across different ethnic groups – they are astonishingly small. Gaps in turnout have sometimes been slightly larger, but - per the other expert reports and my own research work - the rate of voter registration in Alabama currently seems to be 89% for whites (with all Latinos removed from that category), as versus 84% for African Americans. In 2020, the equivalent figures were 96.1% (W) and 93.9% (B). In 2018, the registration gap was *less than one percent*, with Blacks at 88% and whites reaching 88.4%.

Almost certainly, none of these gaps are statistically significant (most county level gaps in racial turnout would not be, either). They also do not trend in the temporal direction which one would expect were racism a primary proximate cause here: i.e., the smallest registration gap on recent record was documented in the year “closest to the past (2018),” now some 6-7 years back in the mists. Further, in at least one major Alabama metropolitan area – Montgomery, AL – 1.3% more African Americans than Caucasians are currently registered as voters.

While this is not the focus of this report, the finding that Alabama’s gaps in voter registration and turnout are small, and very heavily influenced by factors other than and sometimes unrelated to racial bias (age?), ties into a broader point. A through-line finding of my

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<sup>28</sup> U.S. Department of Justice: Office/Bureau of Justice Statistics. “Criminal Victimization, 2022.” Available online here - <https://bjs.ojp.gov/document/cv22.pdf>. The data in Table 13, Inter-Racial Crime/Crime by Race, was used for my quick calculation above.

research to this point has been that MOST racial performance gaps, very many of which are popularly attributed to a single factor variable – be this racism or genetics - shrink dramatically or disappear totally when other factor variables are adjusted for.

For example, the famous claim of the Black Lives Matter (BLM) movement was that large numbers of unarmed Black men were being killed annually by on-duty police officers – Cherno Biko argued on prime-time television that an innocent and presumably unarmed Black male was “murdered” every day,<sup>29</sup> and super-lawyer Ben Crump wrote a book called *Open Season: the Legal Genocide of Colored People*<sup>30</sup> – that the rate at which this was occurring was wholly disproportionate to the Black percentage of the U.S. population, and that the obvious explanation for all this was that old devil: racism.

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<sup>29</sup> Murdock, Deroy. 2015. “Black Lives Matter’s Numbers Are Frankly Bogus.” *New York Post*. 6 November - <https://nypost.com/2015/11/06/black-lives-matters-numbers-are-bogus/>.

<sup>30</sup> Crump, Benjamin. 2019. *Open Season: the Legalized Genocide of Colored People*. New York: Amistad - <https://www.amazon.com/Open-Season-Legalized-Genocide-People/dp/0062375091>.



**Figure Four: Imprisonment Rates of Sentenced Prisoners Under the Jurisdiction of State or Federal Correctional Authorities, per 100,000 U.S. residents, by race and age, December 31, 2022**

AGE	ALL "WOMEN"	WHITE (1)	BLACK (1)	HISPANIC	AMERICAN INDIAN/ ALASKA NATIVE (1)	ASIAN (1, 2)	OTHER (1, 3)
<b>TOTAL (4)</b>	49	40	64	49	173	5	269
<b>18-19</b>	5	2	12	7	8	1	23
<b>20-24</b>	43	28	73	49	134	4	187
<b>25-29</b>	105	83	145	105	372	10	479
<b>30-34</b>	138	118	154	136	507	12	531
<b>35-39</b>	139	125	145	137	509	11	671
<b>40-44</b>	115	105	126	103	395	9	588
<b>45-49</b>	80	73	97	67	260	8	654
<b>50-54</b>	60	53	77	49	163	6	584
<b>55-59</b>	41	33	61	34	115	5	487
<b>60-64</b>	22	17	35	20	70	3	698
<b>65 OR OLDER</b>	6	4	9	6	24	1	130
<b># SENTENCED PRISONERS (4, 5)</b>	82,478	39,400	14,000	15,500	2,100	600	11,000

(1) Excludes prisoners of Hispanic origin.

(2) Includes Asians, Native Hawaiians, and other Pacific Islanders.

(3) Includes prisoners of two or more races that are not broken out.

(4) Includes prisoners of all ages, including those age 17 or younger.

(5) Estimates of race or Hispanic origin are rounded to the nearest 100.

Data from: <https://bjs.ojp.gov/document/p22st.pdf>

However. As *The Washington Post* (bravely) began to note in 2015, the total number of unarmed Black citizens slain annually by police is tiny: generally around 20. Last year, the nationwide total was 16.<sup>31</sup> Further, while the Black percentage of these shootings is somewhat disproportionate – only 51 unarmed persons of all races were fatally shot by police in 2023 – this disproportion almost entirely vanishes after adjustment for the 240% over-representation of Blacks among serious criminals. When Harvard University’s Roland Fryer ran the best methodological model I have yet seen in this space, actually adjusting for rates of encounter and

<sup>31</sup> Washington Post Investigations. “The Counted: Police Shootings Database.” Available online here - <https://www.washingtonpost.com/graphics/investigations/police-shootings-database/>.

for the *behavior* of armed and unarmed suspects of all races, he found that police were actually almost 30% more likely to shoot white males than equivalent Black ones.<sup>32</sup>

Such examples abound! At present, for example, there exists a slightly greater than \$25,000 gap in median income between non-Hispanic white (\$74,932) and Black (\$48,297) households. This, at least in contemporary media and center-left social science, is almost invariably attributed to racial bias (however subtle). However, economists have noted for at least 35 years that the gap almost disappears in multi-variate regression models that adjust for other traits which vary between large groups, such as age, test scores, and region of residence.

As I noted in one published book,<sup>33</sup> paraphrasing June O'Neill of the Congressional Budget Office:<sup>34</sup> “Overall, Black men earned 82.9 percent of the white wage. Adjusting for Black-white differences in geographic region, schooling, and age raises the ratio to 87.7 percent; adding differences in standardized test scores...raises the ratio to 95.5 percent, and adding differences in years of work experience raises the ratio to 99.1 percent.’ At least in the modern era, less than 1 percent of the wage gap between Black and white males appears directly attributable to racism. Even assuming that subtle bigotry might have some impact on the “years of work experience” variable, *at least* 95 percent of the variance in incomes is due to individual qualities and to cultural characteristics like valuing education.<sup>35</sup>”

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<sup>32</sup> Fryer, Roland G. 2017. “An Empirical Analysis of Racial Differences in Police Use of Force.” *Journal of Political Economy*. Exact print citation forthcoming - <https://scholar.harvard.edu/fryer/publications/empirical-analysis-racial-differences-police-use-force>.

<sup>33</sup> Reilly, Wilfred. 2020. *Taboo: Ten Facts You Can't Talk About*. Boston: Salem/Regnery, p. 84.

<sup>34</sup> O'Neill, June. “The Role of Human Capital in Earnings Differences between White and Black Men.” *Journal of Economic Perspectives*. 4 (4): 25-45.

<sup>35</sup> Interestingly, O'Neill's point also seems to hold true in the context of male/female wage gaps. Extremely large M:F gaps, of the kind noted by activists (“69 cents to the male dollar!”), tend to reflect the earnings of all women, including housewives, whether they are working or not. When the skilled business-world team at PayScale took a



**Figure Five: Prison and Jail Incarceration Rates By Race**  
**Per 100,000 Residents, 2001**

STATE	WHITE	BLACK	RATIO
Alabama	417	1,877	4.50
Alaska	464	1,864	4.02
Arizona	544	2,849	5.24
Arkansas	393	1,759	4.48
California	470	2,757	5.87
Colorado	394	2,751	6.98
Connecticut	190	2,427	12.77
Delaware	427	2,799	6.56
Florida	536	2,591	4.83
Georgia	519	2,149	4.14
Hawaii	455	609	1.34
Idaho	551	1,573	2.85
Illinois	251	1,889	7.53
Indiana	391	2,236	5.72
Iowa	284	3,302	11.63
Kansas	345	2,469	7.16
Kentucky	429	2,392	5.58
Louisiana	379	2,251	5.94
Maine	201	926	4.61
Maryland	248	1,686	6.80
Massachusetts	206	1,562	7.58
Michigan	369	2,247	6.09
Minnesota	139	1,755	12.63
Mississippi	399	1,645	4.12
Missouri	430	2,160	5.02
Montana	417	2,118	5.08
Nebraska	229	1,973	8.62
Nevada	646	2,769	4.29
New Hampshire	286	2,649	9.26
New Jersey	161	2,117	13.15
New Mexico	344	2,666	7.75
New York	173	1,638	9.47
North Carolina	265	1,612	6.08
North Dakota	189	1,321	6.99
Ohio	324	2,279	7.03
Oklahoma	644	2,980	4.63
Oregon	458	2,763	6.03

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look at a more serious claimed gap of 83 cents (F) to one dollar (M), they found that this shrunk to a “controlled equal pay gap” of exactly one cent when everything but residual sexism itself was adjusted for.

Pennsylvania	244	2,570	10.53
Rhode Island	198	1,672	8.44
South Carolina	349	1,740	4.99
South Dakota	385	2,022	5.25
Tennessee	392	1,991	5.08
Texas	640	3,287	5.14
Utah	372	2,341	6.29
Vermont	218	1,794	8.23
Virginia	361	2,268	6.28
Washington	374	2,141	5.72
West Virginia	294	1,708	5.81
Wisconsin	350	4,058	11.59
Wyoming	443	2,477	5.59
DC	52	1,504	28.92

Data from: <https://static.prisonpolicy.org/scans/sp/racialdisparity.pdf>

Their source: Bureau of Justice Statistics, *Prison and Jail Inmates at Midyear, 2001*, April 2002.

This general “quant social science” observation about the nature and resilience of group performance gaps is, in addition to the core issues tackled above, relevant to many important points made in passing by the plaintiff’s experts. For example, on p.22 of his comprehensive report, Georgia State University’s Dr. Joseph Bagley contends that “Black citizens are grossly over-represented in Alabama’s prison system,” and at least implies that this is unusual and intentional – at one point noting a lawsuit which alleges that “Black inmates are being disproportionately denied parole in order to keep them working in ‘extremely lucrative’ prison work systems.”<sup>36</sup>

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<sup>36</sup> To use Dr. Bagley’s citation - “Investigation of Alabama’s State Prisons for Men,” United States Department of Justice, Civil Rights Division, April 2, 2019, <https://www.justice.gov/opa/press-release/file/1150276/download>.



Again, the problem with this claim is context. For a matrix of complex reasons, certainly including historical racial oppression but (again) also including more than a dozen other factor variables starting with plain crime rate, Black Americans are over-represented relative to white Americans in every state prison system in the country – as well as within the federal Bureau of Prisons (BOP)(see Figure Four). Indeed, should we take this numerical over-representation as a *res ipsa loquitor* proxy for oppression, then Alabama is one of the least oppressive places in the country.

This is no exaggeration. Per a well-known 2004 publication from The Sentencing Project, which rests on unchallenged Bureau of Justice Statistics,<sup>37</sup> the per capita ratio of Black incarceration to white incarceration in Alabama – i.e., the ratio representing the number of Black inmates per 100,000 Black state citizens relative to the number of white inmates per 100,000 state citizens – is 4.50. This may, somewhat justifiably, seem high. However, it is in fact the *eighth-lowest ratio on the chart*. The only states to incarcerate fewer African-Americans per capita than Alabama, at least relative to the white population, were the island of Hawaii (1.34), Idaho (2.85), Alaska (4.02), Mississippi (4.12), Georgia (4.14), Nevada (4.29), and Arkansas – with the last of these almost tied with (AL) at a 4.48 B:W ratio.

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<sup>37</sup> The Sentencing Project. “State Rates of Incarceration by Race.” Available online here - <https://static.prisonpolicy.org/scans/sp/racialdisparity.pdf>.

**Figure Six: Prison and Jail Incarceration Rates by Race  
Per 100,000 Residents, Present**

STATE	WHITE	BLACK	RATIO
Alabama	421	1,132	2.69
Alaska	417	1,987	4.76
Arizona	428	2,105	4.92
Arkansas	450	1,597	3.55
California	175	1,623	9.27
Colorado	236	1,603	6.79
Connecticut	156	1,512	9.69
Delaware	324	1,654	5.10
Florida	340	1,411	4.15
Georgia	361	1,006	2.79
Hawaii	410	947	2.31
Idaho	502	2,387	4.75
Illinois	156	1,166	7.47
Indiana	320	1,443	4.51
Iowa	225	2,084	9.26
Kansas	265	1,661	6.27
Kentucky	466	1,370	2.94
Louisiana	381	1,411	3.70
Maine	143	1,331	9.31
Maryland	141	746	5.29
Massachusetts	63	466	7.40
Michigan	230	1,479	6.43
Minnesota	105	1,023	9.74
Mississippi	398	1,107	2.78
Missouri	336	1,297	3.86
Montana	371	2,272	6.12
Nebraska	195	1,733	8.89
Nevada	379	1,543	4.07
New Hampshire	269	742	2.76
New Jersey	81	1,009	12.46
New Mexico	216	1,229	5.69
New York	96	754	7.85
North Carolina	209	810	3.88
North Dakota	172	848	4.93
Ohio	273	1,530	5.60
Oklahoma	511	2,395	4.69
Oregon	344	1,932	5.62
Pennsylvania	206	1,523	7.39
Rhode Island	131	821	6.27
South Carolina	217	821	3.78
South Dakota	280	1,660	5.93



Tennessee	296	989	3.34
Texas	452	1,547	3.42
Utah	167	1,383	8.28
Vermont	239	1,737	7.27
Virginia	287	1,246	4.34
Washington	222	1,195	5.38
West Virginia	348	1,337	3.84
Wisconsin	230	2,742	11.92
Wyoming	381	1,337	3.51

Data from: <https://www.sentencingproject.org/app/uploads/2022/08/The-Color-of-Justice-Racial-and-Ethnic-Disparity-in-State-Prisons.pdf>

Their source: Carson, E.A. (2021). Prisoners in 2019. Bureau of Justice Statistics; U.S. Census Bureau (n.d.).

Interestingly, almost all of the states ‘boasting’ the largest ratios in terms of Black: white incarceration were Northern “blue” or purple states of the kind oft-fond of mocking the Alabamas of the world. Washington, D.C. took pole position with a remarkable ratio of 28.92 to 1, followed by New Jersey (13.15), Connecticut (12.77), Minnesota (12.63), Iowa (11.63), Wisconsin (11.59), Pennsylvania (10.53), New York (9.47), New Hampshire (9.26), Nebraska (8.62),<sup>38</sup> Rhode Island (8.44), and Vermont (8.23). In contrast, the bottom/least “oppressive” ten states included Mississippi, Georgia, Arkansas, and Alabama – while Florida came in at 11<sup>th</sup> (4.83), South Carolina at 12<sup>th</sup> (4.99), Missouri at 13<sup>th</sup> (5.02), and Tennessee at 14<sup>th</sup> (5.08). A solid showing for the SEC, to be sure (!): the average B:W ratio across all U.S. states was 6.63.

Why this unexpected pattern of directionality in incarceration rates/ratios exists is a genuinely interesting question. It could be the case that, as Sowell (2005) has theorized,<sup>39</sup> shared

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<sup>38</sup> Admittedly, a bit of an outlier on this list.

<sup>39</sup> Sowell, Thomas. 2005. Black Rednecks and White Liberals. New York: Encounter Books - <https://www.encounterbooks.com/books/black-rednecks-white-liberals-paperback/>.

“redneck culture” results in relatively high crime rates for Blacks and whites in many Southern states – “Florida man” is a famous meme for a reason<sup>40</sup> – and thus smaller cross-group gaps in incarceration. However, given the number of well-performing Southern states just listed which are not known for exceptionally high rates of crime, it could also simply be the case that serious racism is no longer significantly more prevalent in the American South than in many other locales,<sup>41</sup> race relations are arguably often better,<sup>42</sup> and constant assertions that this is not so are becoming a bit of a calumny.

At any rate, simply pointing to a B:W disparity in Alabama incarceration rates does not suffice to establish the exist of contemporary prejudice or a corrupt system: there is no state in which this could not be done. And, the extent to which this is true is almost exactly the same today as it was in the recent past: I opted to double-check the Project’s 2004 numbers by accessing a 2021 brief (“The Color of Justice: Racial and Ethnic Disparity in State Prisons”) from the same organization.<sup>43</sup> Little has changed, except that Alabama’s B:W incarceration ratio

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<sup>40</sup> The meme in fact has a fairly professional website, “The Official Website of the Legendary Florida Man,” which can be accessed here - <https://floridaman.com/>.

<sup>41</sup> While some authors argue that “racial resentment,” as measured by such traditionally conservative positions as opposition to affirmative action, remains more common in the U.S. South – this popular press article provides a good overview (<https://www.wfae.org/politics/2013-03-05/is-the-south-more-racist-than-the-north>) - quantitative Pew data regarding anonymous attitudes toward topics such as inter-racial marriage now shows no difference between the South and other large regions. In 2021, 93% of Southerners, across all races, supported inter-racial union. McCarthy, Justin. 2021. “U.S. Approval of Inter-Racial Marriage at New High of 94%.” Gallup Online. 10 September - <https://news.gallup.com/poll/354638/approval-interracial-marriage-new-high.aspx>.

<sup>42</sup> Hard data has indicated for some time that perceived race relations in the South are on par with those in the rest of the USA, and sometimes better. Back in 2002, now almost 25 years ago, comprehensive polling from Gallup revealed that 70% of a cross-racial sample of Southerners rated relations specifically between whites and Blacks as either “Very Good” or “Somewhat Good.” These ratings were described by the poll-takers as being “similar to the country as a whole...Southerners’ opinions on discrimination in the workplace and in public life are also quite similar to those for other regions.” Mazzuca, Josephine. 2002. “U.S. Race Relations by Region – the South.” 19 November - <https://news.gallup.com/poll/7234/us-race-relations-region-south.aspx>.

<sup>43</sup> Nellis, Ashley. 2021. “The Color of Justice: Racial and Ethnic Disparity in State Prisons.” The Sentencing Project. October release - <https://www.sentencingproject.org/app/uploads/2022/08/The-Color-of-Justice-Racial-and-Ethnic-Disparity-in-State-Prisons.pdf>.



has actually improved, now standing at 2.69 and ranking as the second lowest ratio observed in the data-set. Virtually the same group of hardly-Dixieland states bring up the national rear: New Jersey (12.46), Wisconsin (11.92), Minnesota (9.74), Connecticut (9.69), Maine (9.31), California (9.27), Nebraska (8.89), new contender Utah (8.28), and old friend New York (7.85).

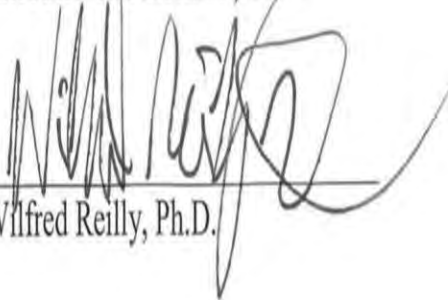
Many such cases, as the youth say. Obviously, both the state of Alabama and these states United have a long, contested, and sometimes torturous history of racism and ethnic conflict. However, this fact alone does not suffice to prove that every gap in performance or behavior observed between racial groups – in a country where 7-8 of the highest-earning populations are currently “people of color<sup>44</sup>” – is the result of bias and thus a suitable subject for legal remedy. In my professional opinion, many of the specific gaps discussed in this report and in those of my professional compatriots on both sides of the case – for example in voter turnout, test scoring, partisan voting by race, and incarceration - fall into this category. Many or most of these, indeed, can be observed literally everywhere in the country, correlate little if at all with current or past rates of bias, and seem to be smaller/better in Alabama than in most other places.

I hope I have demonstrated this to the satisfaction of the court.

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<sup>44</sup> Reilly, Wilfred. “The Good News They Won’t Tell You About Race in America.” Commentary. April Issue - <https://www.commentary.org/articles/wilfred-reilly/race-in-america-good-news/>. The data for this article was sourced from the then-current American Community Survey (<https://data.census.gov/table?q=American+Community+Survey&t=-A0>), and ACS data can be found in easier-to-read form here: [https://en.wikipedia.org/wiki/List\\_of\\_ethnic\\_groups\\_in\\_the\\_United\\_States\\_by\\_household\\_income](https://en.wikipedia.org/wiki/List_of_ethnic_groups_in_the_United_States_by_household_income). I say “7 (to) 8” because South Africans constitute a mixed population which includes – in our terms – both Blacks and whites.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief. Executed on March 29, 2024.



Wilfred Reilly, Ph.D.



## **Appendix A: Curriculum Vitae**

**Will Reilly**

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### **Education**

Southern Illinois University, Carbondale

Degree: Ph.D., Political Science  
Public Law, International Relations, Theory  
G.P.A. 3.85/4.0  
PhD Awarded May 2015

University of Illinois College of Law, Urbana-Champaign

Cumulative Good Standing  
J.D. May 2005

Southern Illinois University, Carbondale

Lower Division Honors  
B.A. May 2002

### **Dissertation**

Title: *Measuring Up – The Effect of Minority Status and Other Core Characteristics On Collective Self Esteem: a Quantitative Test of Divergent Theories of Identity Valuation*

Abstract: Many scholars have argued that membership in a minority or “low status” group causes individuals to devalue identities like race, class, gender, and orientation (Hacker 1992; Harris 1993; Tatum 1997; McIntyre 2002). For example, Hacker famously contends that African-Americans devalue Black racial identity while Caucasians value white identity highly, and argues for affirmative action as a partial solution to this problem (Hacker 1995). However, this thesis has never actually been tested using contemporary methodological techniques in the modern American context. I use a large-N List Experiment (Sniderman & Carmines 1997) and ordinal survey techniques to

determine whether membership in four minority in-groups (racial minorities, women, LGBT Americans, and members of religious minority groups) correlates significantly with devaluation of minority in-group identities. Results indicate that minority identity, with the sole and significant exception of bi- or homosexual identification, is not significantly and consistently correlated with identity devaluation.

### **Books**

Reilly, Wilfred. 2023. *NEW Lies Your Teacher Tells You: an Empirical Current Look at History and Its Presentation*.<sup>45</sup>  
New York: Harper Collins.

Reilly, Wilfred. 2020. *Taboo: Ten Facts You Can't Talk About*.  
Boston: Regnery Publishing.

Reilly, Wilfred. 2019. *Hate Crime Hoax: the Selling of a Fake Race War*.  
Boston: Regnery Publishing (SMG).

Reilly, Wilfred. 2016. *The \$50,000,000 Question: An Empirical Examination of the Relationship between Privilege and Pride*. New York: Scholar's Press (Scriptum).

### **Book Chapters**

Reilly, Wilfred. 2022. "The Wages of Immigration: (a) Dissenting Point of View."  
In *The Black Boom*, by and ed., Jason Riley.  
West Conshohocken, PA: Templeton Press.

Reilly, Wilfred. 2021. "A Positive Vision: the Agenda of 1776."  
In *Red, White, and Black*, ed., Robert L. Woodson Sr. New York: Emancipation Press, 3-11.

Reilly, Wilfred. 2021. "Slavery Does Not Define the Black American Experience."  
In *Red, White, and Black*, ed., Robert L. Woodson Sr.  
New York: Emancipation Press, 37-42.

Reilly, Wilfred. 2021. "Rioting Over a Narrative." In *The Year the World Went Mad*, ed., Tom Slater. London (UK): Spiked Press, 97-102.

### **Academic Research Publications<sup>46</sup>**

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<sup>45</sup> This book is fully accepted by the publisher, but final publication is pending.

<sup>46</sup> "Think tank" publications are included in this section.



- Maranto, Robert, Wilfred Reilly, and Patrick Wolf. 2024. "Which Police Departments Make Black Lives Matter?" *Administration and Society*. 0 (0)<sup>47</sup>: <https://journals.sagepub.com/doi/10.1177/00953997241226892>.
- Reilly, Wilfred. 2023. "Imagining Supremacy." *Middle West Review*. Volume 9 (2): 157-163.
- Clark, Corey, Lee Jussim, Komey Frey...Wilfred Reilly et al. 2023. "Pro-Social Motives Underlie Scientific Censorship by Scientists: a Perspective and Research Agenda." *Proceedings of the National Academy of Sciences (PNAS)*. 120 (48): <https://www.pnas.org/doi/10.1073/pnas.2301642120>.
- Maranto, Robert, Wilfred Reilly, Patrick Wolf, and Mattie Harris. 2022. "Which Police Departments Make Black Lives Matter, Which Don't...and Why Don't Most Social Scientists Care?" Currently Housed: <https://scholarworks.uark.edu/edrepub/136/>.
- Reilly, Wilfred. 2022. "A Path Out: the Potential Effects of Charter Schooling, And Improved Overall Schooling, on African-American Individual and Household Income." *America's Majority Foundation Occasional Publication*: 1-36.
- Reilly, Wilfred. 2021. "Testing the Tests for Racism: What Do Audit Studies Say about Systemic Racism?" *Academic Questions*: 34 (3): 17-27.
- Reilly, Wilfred. 2020. "An Ignored Cost: Effects of Yes/No Lockdown Strategy and Other Variables on April-August Unemployment Across U.S. States." *America's Majority Foundation Occasional Publication*: 1-15.
- Reilly, Wilfred. 2020. "Reviewing the Data on the Efficacy of Lockdowns via Comparison of Red vs. Blue States Dealing with COVID-19." *America's Majority Foundation Occasional Publication*: 1-21.
- Reilly, Wilfred. 2019. "Are Hate Crime Hoaxers Above the Law?" *Academic Questions*. 32: 553-561.
- Reilly, Wilfred. 2017. "Diversity and Security: The Effect of In-State Tribal and Racial Diversity on Homicide Rate, Civil Conflict, and Chances of International War-Fighting." *International Journal of Contemporary Applied Sciences*. 4 (4): 32-51.

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<sup>47</sup> This is a label representing online-first publication.

Reilly, Will. 2016. "Are the Browns Down? A Quantitative Test of the Effect of Racial Minority Status and Other Core Characteristics on Racial Identity Valuation." *American International Journal of Humanities and Social Science*. 2: 38-65.

Reilly, Wilfred. 2008. "Does Athletic Investment Make Sense? Using NCAA Tournament Results to Test the Logic of Sports Spending among Mid-Major Universities." *Paul Simon Policy Institute Occasional Papers*. Number 10: 2-30.

Reilly, Wilfred. 2007. "Legal Skill or Systemic Structure: A Quantitative Examination of the Reasons Prosecutors Win." *Critique*. Fall: 30-41.

#### **Full-Length Edited Articles<sup>48</sup>**

Reilly, Wilfred. 2024. "What 'Free Palestine' and 'Black Lives Matter' Have in Common." *Commentary*. January Issue.

Reilly, Wilfred, 2023. "The Politics of Tribal Nonsense." *Tablet Magazine*. 14 November.

Reilly, Wilfred. 2023. "Why Thomas Sowell Matters." *National Review*. 23 October.

Reilly, Wilfred. 2023. "Fuc\*ing Is Good, Actually: an Unexpected Defense of the Sexual Revolution." *Queer Majority*. 26 July.

Reilly, Wilfred. 2023. "Why Americans Are Getting More Conservative on the Trans Issue." *Newsweek*. 20 June.

Reilly, Wilfred. 2023. "Americans Are Convinced Race Relations Are Bad. The Data Says the Opposite." *Newsweek*. 10 April.

Reilly, Wilfred. 2023. "How Political Bias Explains Everything: the Attitudinal Model." *Tablet Magazine*. 11 January.

Reilly, Wilfred, and Robert Maranto. 2022. "Did Black Lives Matter Save Black Lives." *Commentary*. September Issue.

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<sup>48</sup> This is an edited list. To save space, primarily-print and primarily online "public intellectual" journals are cited in the same fashion, and hyper-links are not provided.



- Reilly, Wilfred. 2022. "The Myth of the Kamloops Mass Grave." *Spiked*. 9 August.
- Reilly, Wilfred, Robert Maranto, and Patrick Wolf. 2022. "A Better Way to Reduce Police Violence." *Washington Examiner*. 14 July.
- Reilly, Wilfred. 2022. "Where America's Confidence Went – and How to Get It Back." *National Review*. 29 June.
- Reilly, Wilfred. 2022. "The Moral Case for American Goodness (Largely) Endures." *Real Clear Politics*.<sup>49</sup> 7 June.
- Reilly, Wilfred. 2022. "We're Not an Outlier: Targeted Solutions Will Make America Safer than Gun Control." *Newsweek*. 29 May.
- Reilly, Wilfred. 2022. "Nothing Unites Different Marginalized Groups: Exposing the Inter-Sectional Hoax." *Newsweek*. 18 May.
- Maranto, Robert, and Wilfred Reilly. 2022. "University of Pennsylvania: Don't Fire Amy Wax: Debate Her Views." *Real Clear Education*. 6 May.
- Reilly, Wilfred. 2022. "Race-Based Double Standards Exist in Media, but Not Always How You Think. *Foundation against Intolerance and Racism (FAIR) Official Substack*. 2 May.
- Reilly, Wilfred. 2022. "The New Definition of Racism: Can We Find a Way Out Of Mr. Rogers' Neighborhood." *Commentary*. May Issue.
- Reilly, Wilfred. 2022. "Do No Harm: the Dangers of Racialized Medicine." *Foundation against Intolerance and Racism (FAIR) Official Substack*. 24 January.
- Reilly, Wilfred. 2022. "The Idiocy of Shared Oppression." *Tablet Magazine*. 13 January.
- Reilly, Wilfred. 2022. "The 1619 False-History Project." *National Review*. 6 January.
- Reilly, Wilfred. 2021. "How Jussie Smollett's Hate Hoax Unraveled." *Unherd*. 10 December.

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<sup>49</sup> Online, some print copies.

- Reilly, Wilfred. 2021. "Affirmative Action Privilege, and Other Reasons Human Life Is Complicated." *FAIR Official SubStack*. 16 November.
- Reilly, Wilfred. 2021. "What Is Critical Race Theory, Really?" *City Journal*. 13 October.
- Reilly, Wilfred. 2021. "The Whiteness of Wokeness." *Commentary*. 152 (4): 25-29.
- Reilly, Wilfred. 2021. "The Assault on Empiricism." *Tablet*. 11 August.
- Reilly, Wilfred. 2021. "The Accomplishments of Black Conservative Thought." *Quillette*. 19 July.
- Reilly, Wilfred. 2021. "One 'Maverick' Documents Another: Jason Riley's Biography of Thomas Sowell." *Quillette*. 13 June.
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- Reilly, Wilfred. 2021. "Facts Don't Care about Your Diversity Training Certificate." *Quillette*. 4 April.
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### **Editorials and Short-Form Book Reviews**

Reilly, Wilfred. 2023. "A Great Man, Warts and All." *Commentary*. July/August 2023.

Reilly, Wilfred. 2023. "The USA Does Not Have a Caste System." *The Washington Examiner*, 31 March.

Reilly, Wilfred. 2022. "Facts Ruin a False Narrative about Hate Crimes." *The Wall Street Journal*, 29 November.

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Reilly, Wilfred. 2019. “A Record Breaking Year of Hatred? Statistics Do Not Prove That the Country Is Awash with Hate.” *The Washington Times*, 4 September.

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### **Works in Progress**

Reilly, Wilfred, and F. Jane Lingle. “Worth Such a Price?” The Effect of Yes-No Lockdown Strategy, along with Red-Blue Political Partisanship and Other Variables, on Caseload, Deaths, and Primary COVID-19 Outcomes Across U.S. States.” Accepted by America’s Majority Foundation.<sup>51</sup>

Steinmetz, Peter, and Wilfred Reilly. “State Behavior or Personal Choice (?): an Empirical Analysis of the Effects of COVID-19 Lockdowns with Google Mobility Data Taken Into Account.” To be submitted to *The Journal of the American Medical Association*.<sup>52</sup>

Reilly, Wilfred. “One Privilege, or Many Privileges? Testing the Effect of Whiteness and Other Social Variables on a 100-Point Metric.” To be submitted to *The Journal of Behavioral and Social Sciences*.<sup>53</sup>

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<sup>50</sup> This essay also appeared on the 1776 Unites website (1776unites.com), and when expanded will constitute a chapter in an upcoming 2021 release from Bombardier Books.

<sup>51</sup> For website and print publication release, as I understand.

<sup>52</sup> And, after rejection there, who knows?!

<sup>53</sup> Official data gathering for this project has not yet begun, however all introductory portions of the article (i.e. Literature) have been written and the methodological model designed.



Reilly, Will. “Winning at the First Stage: An Empirical Examination of Defendant Success in Five Midwestern Trial Courts.” To be submitted to *Law and Society Review*.

Reilly, Will, and Erica Battle. “Altered Perceptions? A Test of whether the American Beauty Standard Is Changing to Reflect Increased National Diversity.” Submitted to *Journal of Black Studies*.

Reilly, Will. “Upper-Class Kids; Lower-Class Jobs: Using a Set of Quantifiable Economic Variables to Predict Identification with the ‘Hipster’ and Post-Occupy Movements.” Currently being written and edited.

Reilly, Will. “Word on the Street: The Effect of Race, Gender, Political Identification, and Other Factors on the Performance of Paid Canvassers.” Currently being written and edited.

### **Conference Presentations and Other Presented Work**

“Predictors of Plague: a Quantitative Analysis of Determinants of National Success vs. COVID-19.” Paper presented at Kentucky Political Science Association Conference. Owensboro, KY (March 2024).

“Charter Cities Ideology: An Alternative Narrative to Africa’s Migration Conundrum.” Paper co-presented at Kentucky Political Science Association Conference. Owensboro, KY (March 2024).

“The De-Transition Time Bomb: an Empirical Analysis.” Paper presented at Genspect: the Bigger Picture Annual Conference. Denver, CO (December 2023).

“Black Conservatism – the Past, Present, and Future.” Paper/data presented at University of Wisconsin-Madison Free Speech Week. Madison, WI (October 2023).

“Foundation against Intolerance and Racism Speaks: Data as the Corrective to Irrational Fear.” Paper presented/long-form speech given at Pancakes for Providence elite prep school event. Plymouth, MN (February 2023).

“The Numbers Keep Changing: How Information Manipulation Contributes to the Culture of Fear.” Paper presented at Politics, Policy and Panic: Governing In Times of Crisis Conference. Latrobe, PA (April 2022).



“Why the Narrative Always Collapses.” Paper presented/long-form speech given at bi-partisan Center for the American Experiment Annual Meeting. Minneapolis, MN (February 2022).

“Data, Hard Facts, and the Business of Leadership.” Presentation/Requested Speech given at Key-Note Session: Leadership Program of the Rockies. Denver, CO (July 2020).

“Diversity, Security, and Conflict: a Specifically African Analysis.” Paper Accepted for presentation at Midwest Political Science Association Conference. Chicago, IL (April 2020).<sup>54</sup>

“Boundaries of Terrorism: Who Is a Terror Fighter, and Who Is Not?” Presentation/Requested Speech given at KYSU Bluegrass Intelligence Consortium Event. Frankfort, KY (March 2018).

“Can Diverse States Be Secure? The Effect of Tribal and Racial Diversity on Homicide Rate, Civil Conflict, and Chances of International War-Fighting.” Paper presented at Midwest Political Science Association Conference. Chicago, IL (April 2017).

“An App for the Culture of Fear? An Empirical Examination of the Effect of Social Media Content on Racial and Political Distrust.” Paper presented at Midwest Political Science Association Conference. Chicago, IL (April 2016). Paper accepted for presentation at American Association of Behavioral and Social Sciences Conference. Las Vegas, NV (February 2016).

“Are The Browns Down? The Effect of Racial Status and Other Core Characteristics on Racial Identity Valuation: Revised Following a Randomized Research Re-test.” Paper presented at Midwest Political Science Association Conference. Chicago, IL (April 2016).

“Are The Browns Down? The Effect of Racial Status and Other Core Characteristics on Racial Identity Valuation.” Paper presented at Midwest Political Science Association Conference. Chicago, IL (April 2010).

“Fare Ball: An Analysis of Why Some University Athletic Departments Make Money (While Others Do Not).” Paper presented at Midwest Political Science Association Conference. Chicago, IL (April 2010).

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<sup>54</sup> I list an “accepted” paper here because the conference was canceled – like virtually all big-city events during April of 2020.

“Predictors of Criminal Court Victory: A Five County Analysis of Defendant Success Rates.” Paper presented at Midwest Political Science Association Conference. Chicago, IL (April 2009).

“Altered Perceptions: A Quantitative Test of Whether the American Beauty Standard Is Changing to reflect Increased National Diversity.” Paper presented at Midwest Political Science Association Conference. Chicago, IL (April 2009).

“The Coefficients of Victory: Variables Predicting Trial Wins among Criminal Defendants.” Paper presented at Midwest Political Science Association Conference. Chicago, IL (April 2008).

“Variance in Court: An Analysis of Courtroom Success among Distinct Groups of Criminal Defendants.” Poster presented at Department of Political Science Graduate Student Exposition. Carbondale, IL (December 2007).

“The Coefficients of Victory: Variables Predicting Trial Wins among Criminal Defendants.” Paper presented at DFI All Fellows Conference. Chicago, IL (November 2007).

“Ball Fair? Using the NCAA Tournament to Test the Actual Frequency of Fair Play Games.” Paper presented at DFI All Fellows Conference. Chicago, IL (November 2007).

“Justice or Just-Us: A Quantitative Examination of Prosecutorial Victory Rates Across Groups.” Paper presented at Black Graduate Students Association Conference. Evanston, IL (April 2007).

“Legal Style or Legal System Structure: Why Prosecuting Attorneys Win the Large Majority of Contested Cases.” Paper presented at DFI-KCP National Conference. Chicago, IL (November 2006).

### **Major Podcasts and Long-Form Media Appearances**

Reilly, Wilfred. Guest/Speaker. “The Dumbing Down of American Elites.” The Ben Boyce Podcast. 5 September 2022.  
<https://www.youtube.com/watch?v=MIGyfaQ7qY8>.

Reilly, Wilfred. Guest/Speaker. “Theory of Racelessness and the Data.” Dr. Sheena Mason’s Theory of Racelessness. 12 July 2022.  
[https://www.youtube.com/watch?v=tM\\_JkRUqAmc](https://www.youtube.com/watch?v=tM_JkRUqAmc).



- Reilly, Wilfred. Guest/Speaker. "The Whiteness of Wokeness." *Prager U.* 11 April 2022.  
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- Reilly, Wilfred. Guest. "Jussie Smollett and Hate Crime Hoaxes." *Honestly Podcast with Bari Weiss.* 10 December 2021.  
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- Reilly, Wilfred. Guest. "The ATLAS Society Asks Wilfred Reilly." *The Atlas Society Podcast.* 29 September 2021.  
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- Reilly, Wilfred. Guest. "Straight Talk on Racism with Wilfred Reilly." *Conversations with Coleman Hughes.* 4 June 2021.  
<https://www.youtube.com/watch?v=m5WsPWvF7vE>.
- Reilly, Wilfred. Guest/Speaker. "Rescuing American History from Revisionists AND Race Hustlers." American Enterprise Institute. 20 May 2021.  
<https://www.youtube.com/watch?v=LeKumFOj6fs>.
- Reilly, Wilfred. Guest/Speaker. "The Audacity of Race Data: a Dialogue." *Converging Dialogues.* 1 February 2021.  
<https://www.youtube.com/watch?v=5HJJcFFpyt4>.
- Reilly, Wilfred. Guest/Speaker. "On Challenging Ideological Uniformity in Academia." *The Invisible Men Black Excellence Podcast.* 20 January 2021. <https://www.youtube.com/watch?v=EoxFPxRduDk>
- Reilly, Wilfred. Guest/Speaker. "What's Wrong with the 1619 Project?" *Prager U.* 30 November 2020.  
<https://www.youtube.com/watch?v=OrqFbyTABmQ>.
- Reilly, Wilfred. Guest. "Rejecting Racial Nationalism with Wilfred Reilly." *The New Liberals Podcast.* 20 October 2020.  
<https://podcasts.apple.com/gb/podcast/4-rejecting-racial-nationalism-with-wilfred-reilly/id1527944755?i=1000495402455>.
- Reilly, Wilfred. Featured Guest. "American Thought Leaders." *American Thought Leaders – The Epoch Times.* 6 October 2020  
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- Reilly, Wilfred. Guest. "The African American Journey." *The Carvaka Podcast.* 31 July 2020. <https://www.youtube.com/watch?v=aE7sfbpNeh8>.



- Reilly, Wilfred. Debater/Panel Participant. “Systemic Racism and the Data: Wilfred Reilly and Roderick Graham with John Wood, Jr.” *Braver Angels Podcast*. 23 July 2020. <https://www.youtube.com/watch?v=IISXcdNSy9Y>.
- Reilly, Wilfred. Guest. “Unregistered 122: Wilfred Reilly.” *The Unregistered University Podcast*. 13 July 2020. <https://www.youtube.com/watch?v=MHG-lwLKpXg>.
- Reilly, Wilfred. Guest. “How the Media Exploits Crises, from COVID-19 to Race Relations.” *The Federalist Radio Hour*. 9 June 2020. <https://www.youtube.com/watch?v=3LUy9yuIGLQ>.
- Reilly, Wilfred. Guest. “Black Lives Matter: Are the Stats Accurate?” *The E2 Review Podcast*. 4 June 2020. <https://www.youtube.com/watch?v=4bt88SbZWmY>.
- Reilly, Wilfred. Panel Participant. “Public Safety in an Era of Criminal Justice Reform.” *The Manhattan Institute Podcast*. 27 May 2020. <https://www.youtube.com/watch?v=J8KvHbWSypA>.
- Reilly, Wilfred. Guest. “Episode #154 – Taboo Book.” *Godless Spellchecker*. 12 May 2020. [https://www.youtube.com/watch?v=K\\_uV7qqzm-4](https://www.youtube.com/watch?v=K_uV7qqzm-4).
- Reilly, Wilfred. Guest. “The COVID Culture Wars.” *The Spiked Podcast*. 24 April, 2020. <https://www.youtube.com/watch?v=PbSsr7L2taI>.
- Reilly, Wilfred. Guest. “Corona Taboos: Wilfred Reilly and Glenn Loury.” *The Glenn Show*. 10 April 2020. <https://www.youtube.com/watch?v=MIGyfaQ7qY8>.
- Reilly, Wilfred. Interviewer. “A Conversation with Dan Crenshaw – U.S. Representative, Author of Fortitude.” *Break It Down Show*. 4 April 2020. <https://www.youtube.com/watch?v=74UQ6JKQO1w>.
- Reilly, Wilfred. Guest. “Podcast 83: Wilfred Reilly on His New Book Taboo: Ten Facts You Can’t Talk About.” *The Quillette Podcast*. 27 March 2020. <https://quillette.com/2020/03/27/podcast-83-professor-wilfred-reilly-on-his-new-book-taboo-10-facts-you-cant-talk-about/>.

Reilly, Wilfred. Guest. "Browncast Episode 77: Professor Wilfred Reilly on Hate Crime Hoaxes, Racism, Wokeness, and More." *Brown Pundits: a Discussion of Things Brown*. 14 January 2020.  
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Reilly, Wilfred. Guest. "My Chat with Political Scientist Wilfred Reilly." *The Saad Truth*. 21 November 2019.  
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Reilly, Wilfred. Guest. "Quillette Podcast 44: Professor Wilfred Reilly on Hate Crime Hoaxes." *The Quillette Podcast*. 15 July 2019.  
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Reilly, Wilfred. "The Great Debate: Wilfred Reilly vs. Jared Taylor on HBCU Campus." *KYSU Debates/Wilfred Reilly*. 28 April, 2016.  
<https://www.youtube.com/watch?v=KqoqN4kXk3s>.

### **National and Major Regional Television Appearances**

Reilly, Wilfred. 2022. Interview/Panel w Greg Gutfeld. *Gutfeld*. Fox News Channel. 27 October.  
[https://archive.org/details/FOXNEWSW\\_20221028\\_030000\\_Gutfeld](https://archive.org/details/FOXNEWSW_20221028_030000_Gutfeld).

Reilly, Wilfred. 2020. Interview by Paul Rudy. *Good Morning San Diego*. KUSI TV California. 28 August.  
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Reilly, Wilfred. 2020. Interview by Paul Rudy. *Good Morning San Diego*. KUSI TV California. 19 August.  
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Reilly, Wilfred. 2020. Interview by Tucker Carlson. *Tucker Carlson Tonight*. Fox News Channel. 6 June. <https://www.air.tv/watch?v=a9ge4ohqTQOzy19ChT2aow>.

Reilly, Wilfred. 2020. Interview by Laura Ingraham. *The Ingraham Angle*. Fox News Channel. 5 June. <https://www.msn.com/en-us/health/fitness/push-to-dismantle-us-police-based-on-lies-and-false-data/vi-BB156cEB>.

Reilly, Wilfred. 2019. Interview by Sky News Team. *The Outsiders Program*. Sky News Australia. 14 July. <https://twitter.com/skynewsaustr/status/1150235309105270785?lang=en>.

Reilly, Wilfred. 2019. Interview by Tucker Carlson. *Tucker Carlson Tonight*. Fox News Channel. 20 February. <https://video.foxnews.com/v/6004289765001#sp=show-clips>.

### Teaching Experience<sup>56</sup>

Political Science, Kentucky State University (Fall 2018-Present)  
Associate Professor  
Political Science, Kentucky State University (Fall 2015-Fall 2018)  
Assistant Professor  
Political Science, City Colleges of Chicago (2013)  
Adjunct Professor  
Activist Instruction, Fund for the Public Interest (2009-2012)  
Community Organizer  
United States Government, Aurora University (Spring 2009)  
Adjunct Professor

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<sup>55</sup> I shared this interview with Raz Simone, alleged “warlord” of CHAZ in Seattle. We weren’t on at the exact same time, but apparently fielded similar questions.

<sup>56</sup> As a note: from late 2009 through 2014, I worked primarily in non-academic positions focused on affecting real-world political discourse, with the Fund for the Public Interest/Human Rights Campaign and M. Evans Global, before returning to the classroom as my PhD completion date approached. References from these positions are excellent and available.



Law and Society, Southern Illinois University (Fall 2008)  
Instructor  
Criminal Justice/Court Management, Southern Illinois University (Spring 2008)  
Instructor  
Law and Society, Southern Illinois University (Fall 2007)  
Instructor  
Civil Rights and Liberties, Southern Illinois University (Spring 2007)  
Teaching Assistant  
Civil Rights and Liberties, Southern Illinois University (Fall 2006)  
Teaching Assistant  
Law and Society, Southern Illinois University (Fall 2006)  
Teaching Assistant

### **Job Relevant Curriculum**

#### University of Illinois

- ◆ Law 609: Legal Writing and Research
- ◆ Law 656: International Law and Governance
- ◆ Law 657: International Human Rights
- ◆ Law 689: Law and Economics
- ◆ Law 697: Competitive Moot Court

#### Southern Illinois University

- ◆ POLS 500A-C: Quantitative Methods in Research
- ◆ POLS 504: Pro-Seminar in Classical Theory
- ◆ POLS 505: Pro-Seminar in Post-Modern Theory
- ◆ POLS 538: Pro-Seminar in Public Law
- ◆ POLS 575: Pro-Seminar in International Relations

#### Kentucky State University

- ◆ POS 101: American Government
- ◆ POS 211: Introduction to Political Science
- ◆ POS 301: Research Methodology
- ◆ POS 431: Constitutional Law
- ◆ POS 499: Senior Capstone/Writing & Research
- ◆ PSY 522: Law and Social Science

### **Service to the Campus Community**

Member: Kentucky State Coronavirus Task Force, Fall 2020-Fall 2021  
Faculty Ombudsman: Kentucky State University, Spring 2018-Fall 2021  
Parliamentarian: KYSU Faculty Senate, Fall 2017-Fall 2019  
Chair (Professional Concerns Committee): Faculty Senate, Fall 2017-Fall 2019  
Member: KYSU International Studies Committee, Fall 2016-Present

Advisor: KYSU LGBT Center, Fall 2015-Spring 2018  
Sitting Member: KYSU All-University Court, Fall 2015-Present<sup>57</sup>

### **Honors and Awards**

Finalist: Woodrow Wilson National Fellowship (2017)  
Top Paper Award, Northwestern B.G.S.A. Conference (2007)  
Diversifying the Faculty of Illinois (D.F.I.) Fellowship Recipient (2005-Present)  
John Marshall (C.L.E.O.) Legal Fellowship Recipient (2002-2005)  
Illinois Lincoln Scholar, Southern Illinois University (2002)

### **Professional Associations**

American Political Science Association, 2019-Present  
Midwest Political Science Association, 2007-Present  
American Bar Association, 2004-2012  
American Association of Trial Lawyers, 2004-2008

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<sup>57</sup> So far as I know, re this one. Some of these dates may be approximate.