

# SPENCER OVERTON

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## WORK EXPERIENCE

**GEORGE WASHINGTON UNIVERSITY LAW SCHOOL**, Washington, DC. 2002-present (on leave from 2009-2010, 2021-2023). *Patricia Roberts Harris Professor of Law*, tenured in 2004. Director of the Multiracial Democracy Project at the GW Equity Institute. Taught Race, Racism, and American Law; Civil Rights; Voting Rights; and Property. Conceived of and organized 2012 George Washington Law Review symposium on political law held ten days after the 2012 presidential election. Regular presenter at annual Black Law Student Association / Alumni Association New Student Orientation on how to succeed in law school. Mentor and supervise research papers of several students, review teaching of other professors. Member, Clerkship Committee, 2011-present. Devised and founded the Faculty Fundraising Committee in 2011, and directed an annual campaign that more than doubled financial participation by GW Law faculty so that over 97% of GW Law faculty gave regularly to the law school. Frequent commentator on NPR, MSNBC, and other media outlets. Testified numerous times before Congress on election administration, voting rights, online disinformation, and other democracy issues.

**JOINT CENTER FOR POLITICAL AND ECONOMIC STUDIES**, Washington, DC. 2014-2023. *President*. The Joint Center, founded in 1970, is America's Black think tank. Suspended operations in 2014 and completely eliminated organization's debt over 18 months, and restored the Joint Center's fiscal health to over \$11 million in net assets. Rebuilt the board, oversaw strategic planning process, hired leadership team, scaled the organization, and established the Joint Center as the "go to" think tank in key areas key to the future of Black communities (e.g., congressional staff diversity, tech policy, economic policy, workforce policy).

**U.S. DEPARTMENT OF JUSTICE**, Washington, DC. *Principal Deputy Assistant Attorney General, Office of Legal Policy*, 2009-2010. The Office of Legal Policy is one of the Department's leadership components (along with the Offices of the Attorney General, Deputy Attorney General, Associate Attorney General, Solicitor General, Legal Counsel, Legislative Affairs, and Public Affairs). As the Department's "think tank," OLP coordinates various components within the Justice Department on policies, special projects, legislative testimony and public statements, and the development of new regulations. OLP also reviews and coordinates proposed regulations, testimony, statements, and policies proposed by federal executive branch agencies outside of the Department. Further, in close consultation with the Office of the White House Counsel, OLP oversees the Department's process for vetting, selecting, interviewing, evaluating, and seeking confirmation of federal judges.

- As Principal Deputy, at beginning of Administration served as top political appointee, responsible for transition from the prior Administration. Managed three deputies, a chief of staff, and over 25 lawyers and staff. Actively recruited several attorneys, one of whom became the head of the office in 2012. Attended and participated in daily meeting of senior Department leadership with Attorney General. Mooted U.S. Supreme Court nominee Justice Sonia Sotomayor.
- Partnered with top White House and Justice Department officials to lead policy efforts on democracy issues, which included the Administration's response to the U.S. Supreme Court's decision in *Citizens United v. Federal Election Commission* to allow unlimited corporate spending in federal elections, and conceptualizing and implementing policies related to the Voting Rights Act, the National Voter

Registration Act, and the Military and Overseas Voter Empowerment Act. Assisted then-Solicitor General Elena Kagan in preparation for her oral argument in *Citizens United*.

- Participated in weekly calls and regular meetings with the White House Domestic Policy Council on various issues. Coordinated with leadership from various agencies, including but not limited to the Departments of Defense, Health and Human Services, and Homeland Security.
- Worked with the Office of Legislative Affairs to meet with congressional Members and staff on various issues, including but not limited to those related to law enforcement, reentry, and civil rights.
- Co-chaired Attorney General's Reentry and Reducing Recidivism Issue Team, comprised of senior representatives from throughout the Department of Justice. Produced a 90-page report featuring 29 detailed proposals and options, including a Federal Interagency Reentry Council comprised of representatives from the Departments of Justice, Labor, Education, Health and Human Services, and Housing and Urban Development; specific proposals for data generation and evidence analysis; expanded educational programs and vocational training for inmates; and targeted study of federal collateral consequences that may undermine recidivism reduction by obstructing education and employment. Many of the proposals have since been implemented.

**UNIVERSITY OF CALIFORNIA, KING HALL SCHOOL OF LAW**, Davis, CA. *Acting Professor of Law*, 2000-2002. Taught Law and the Political Process, Legislation, and Property.

**HARVARD LAW SCHOOL**, Cambridge, MA. *Charles Hamilton Houston Fellow*, 1999-2000.

**DEBEVOISE & PLIMPTON**, Washington, DC. *Associate*, 1997-2000 (on leave from Feb 1999-Jan. 2000). Led teams of lawyers into American General Life Insurance Company (and its various subsidiaries across the nation) to evaluate and revise company policy regarding monitoring of agents, and worked with senior executives and other company employees to implement changes. On behalf of the Democratic National Committee, researched and drafted memoranda and managed document production in response to congressional and Department of Justice campaign finance investigations.

**DICKINSON, WRIGHT, MOON, VAN DUSEN & FREEMAN**, Detroit, MI. *Associate*, 1994-1996.

**HONORABLE DAMON J. KEITH, U.S. COURT OF APPEALS, SIXTH CIRCUIT**, Detroit, MI. *Judicial Clerk*, 1993-1994.

## **EDUCATION**

**HARVARD LAW SCHOOL**, Cambridge, MA. J.D., *cum laude*, June 1993. Teaching Assistant, Professor Charles Ogletree.

**HAMPTON UNIVERSITY**, Hampton, VA. B.A. Mass Media/Journalism, highest honors (*summa cum laude*), May 1990. Varsity Golf; Editorial Page Editor, The Hampton Script.

## **BOARDS AND COMMISSIONS**

**PRESIDENT'S ADVISORY COMMISSION ON EDUCATIONAL EXCELLENCE FOR AFRICAN AMERICANS**, Washington, DC. *Commissioner*, July 2014-January 2017. The Commission is charged with identifying evidence based-practices that improve student achievement, and developing a national network to share these best practices. Co-chair of Commission's research committee.

**JIMMY CARTER-JAMES BAKER COMMISSION ON FEDERAL ELECTION REFORM**, Washington, DC. *Commissioner*, May 2005-September 2005. Dissented from Commission's recommendation for a photo identification requirement to vote, and laid the groundwork for modern arguments against unnecessary voting restrictions that reduce turnout by legitimate voters.

**DNC COMMISSION ON PRESIDENTIAL NOMINATION SCHEDULING AND TIMING**, Washington, DC. *Commissioner*, February-December 2005. Former U.S. Secretary of Labor Alexis Herman and Congressman David Price co-chaired the 40-member body, and other commissioners included Governors Ed Rendell, Kathleen Sebelius, and Jeanne Shaheen, U.S. Senators Carl Levin and Blanche Lincoln, and Congresspersons Kendrick Meek and Hilda Solis. While serving on Commission, conceived of and drove effort to encourage Iowa to restore voting rights to citizens who had completed their sentences (Iowa was alone with Florida, Kentucky, Virginia and Armenia as the only democracies in the world that prohibited all former felons who had completed their sentences from voting, and 25% of African American adults in Iowa could not vote due to a felony conviction). In July 2005, Iowa's governor restored voting rights to over 80,000 Americans who had completed their sentences. Worked with co-chairs Alexis Herman and David Price to successfully move diverse states like South Carolina to the front of the presidential primary schedule just before Super Tuesday, which was consequential in the selection of Barack Obama as the 2008 presidential nominee and Joseph Biden as the 2020 presidential nominee.

**AMERICAN CONSTITUTION SOCIETY**, Washington, DC. *Board of Directors Member*, Jan. 2006-Jan. 2009.

**CENTER FOR RESPONSIVE POLITICS**, Washington, DC. *Board Member*, June 2003-April 2007. The Center for Responsive Politics is the nation's leading research group tracking money in federal elections and its effect on public policy.

**COMMON CAUSE**, Washington, DC. *National Governing Board Member*, Mar. 2003-Nov. 2007. As member of the Governance Committee (Executive Committee of the 30-member board) since 2004, worked closely with Board Chair Derek Bok and President and CEO Chellie Pingree in directing the 250,000 member reform organization. As member of Finance Committee (2003-2005), ensured that 100 percent of board members contributed to Common Cause financially. As chair of Nominations Committee (2004-06), expanded diversity and civil rights representation on board. As chair of Policy Committee, reformed process for board / staff relations regarding policy. Part of key group of board members who led the transition of the organization between Presidents Chellie Pingree and Bob Edgar.

**DEMOS: A NETWORK OF IDEAS AND ACTION**, New York City, NY. *Board of Trustees Member*, Feb. 2006-Jan. 2009.

**U.S. ELECTION ASSISTANCE COMMISSION**, Washington, DC. *Advisory Board Member*, July 2006-June 2009.

## **SELECTED ACTIVITIES AND RECOGNITION**

**OBAMA-BIDEN TRANSITION TEAM**, Washington, DC. *Election Assistance Commission Agency Review Team Lead, Federal Election Commission Agency Review Team Member, Technology, Innovation, and Government Reform Team Member, and Counsel in the Office of the General Counsel*, Sept. 2008-Jan. 2009.

**SIGMA PI PHI FRATERNITY** (the Boulé), 2011-present. Chair, Public Policy Committee of the Executive Committee (national) (2014-2016). Founded in 1904, Sigma Pi Phi is the oldest predominantly African-American Greek letter fraternity in America. Members have included Archons W.E.B. Du Bois, Martin Luther King, Jr., James Weldon Johnson, Jack Greenberg, Ron Brown, Eric Holder, and many others.

**EMERGING SCHOLARS**, January 2006. Featured as one of 10 emerging scholars in America by *Diverse Issues in Higher Education Magazine*.

**DERRICK BELL AWARD**, *Recipient*, 2004. Given by the American Association of Law Schools' Minority Section to its "most promising junior faculty member."

**BLACK LEADERSHIP: THE NEXT GENERATION**, July 2003. Featured in *Black Enterprise Magazine* as one of nine people who "may conceivably end up leading a major black empowerment organization."

**PRESERVING DIVERSITY: MANUAL ON ADMISSIONS POLICIES AND PROCEDURES AFTER THE UNIVERSITY OF MICHIGAN DECISIONS**, 2003. Before U.S. Supreme Court handed down decisions, conceived of affirmative action compliance manual and worked with the Equal Justice Society to coordinate three major law firms (Bingham McCutchen, Morrison & Foerster, and Heller Ehrman White & McAuliffe) to draft the manual.

**NAACP**, Baltimore, MD. *Lifetime Member*, 2002-present.

## **LAW AND DEMOCRACY ACADEMIC PUBLICATIONS**

*State Power to Regulate Social Media Companies to Prevent Voter Suppression*, 53 U.C. Davis Law Review 1793 (2020).

*Remarks: The Future of Voting Rights*, 17 NYU Journal of Legislation and Public Policy 637 (2014).

*Political Law*, 81 George Washington Law Review 1783 (2013).

*Voting Rights Disclosure*, 127 Harvard Law Review Forum 19 (2013).

*Matching Political Contributions*, 96 Minnesota Law Review 1694 (2012).

*The Participation Interest*, 100 Georgetown Law Journal 1259 (2012).

*Voter Identification*, 105 Michigan Law Review 631 (2007).

*Stealing Democracy: The New Politics of Voter Suppression*. New York: Norton, 2006 (book).

"*The Coverage Curve: Identifying States at the Bottom of the Class*," in *The Future of the Voting Rights Act*, Edited by David Epstein, et al. New York: Russell Sage Foundation, 2006.

*The Donor Class: Campaign Finance, Democracy, and Participation*, 153 University of Pennsylvania Law Review 73 (2004).

*Judicial Modesty and the Lessons of McConnell v. FEC*, 3 Election Law Journal 205 (2004).

*Restraint and Responsibility: Judicial Review of Campaign Reform*, 61 Washington and Lee Law Review 663 (2004).

*Judicial Manageability and the Campaign Finance Thicket*, 6 University of Pennsylvania Journal of Constitutional Law 113 (2003).

*A Place at the Table: Bush v. Gore through the Lens of Race*, 29 Florida State Law Review 469 (2002).

*But Some are More Equal: Race, Exclusion, and Campaign Finance*, 80 Texas Law Review 987 (2002).

*Racial Disparities and the Political Function of Property*, 49 UCLA Law Review 1553 (2002).

*Rules, Standards, and Bush v. Gore: Form and the Law of Democracy*, 37 Harvard Civil Rights-Civil Liberties Law Review 65 (2002).

*Voices from the Past: Race, Privilege, and Campaign Finance*, 79 North Carolina Law Review 1541 (2001).

*Mistaken Identity: Unveiling the Property Characteristics of Political Money*, 53 Vanderbilt Law Review 1233 (2000).

## **PUBLICATIONS AUTHORED AT JOINT CENTER**

Improving Training Evaluation Data to Brighten the Future of Black Workers. Washington, DC: Joint Center, 2022 (co-authored with Dr. Alex Camardelle, Harin Contractor, Dr. Paul Elam, Jr., Colleen Graber).

Pandemic Relief Priorities for Black Communities. Washington, DC: Joint Center, 2020 (co-authored with Dr. LaShonda Brenson and Jessica Fulton).

An Introduction to the Future of Work in the Black Rural South. Washington, DC: Joint Center, 2019 (co-authored with Harin Contractor).

Policies to Help Black & Latino Businesses Use Mobile Apps to Grow. Washington, DC: Joint Center, 2019 (co-authored with Amanda Anthony).

Racial Diversity Among Top House Staff. Washington, DC: Joint Center, 2018 (co-authored with Elsie L. Scott, PhD, Karra W. McCray, and Donald Bell).

Racial Diversity Among Top Staff of Congressional Delegations of DE, MD, MS, PA, TN, and VA. Washington, DC: Joint Center, 2018 (co-authored these six reports with Karra W. McCray and Donald Bell).

5G, Smart Cities & Communities of Color. Washington, DC: Joint Center, 2017 (co-authored with Yosef Getachew and Alejandra Montoya-Boyer).

The Impact of Automation on Black Jobs. Washington, DC: Joint Center, 2017.

Engaging Communities in Reducing Gun Violence. Washington, DC: Urban Institute, 2016 (co-authored with Sam Bieler, Kilolo Kijakazi, Nancy La Vigne, and Nina Vinik).

### **SELECTED POPULAR COMMENTARIES**

*Jan. 6 Attack on Multiracial Democracy Requires Senate to Protect Freedom to Vote*, The Hill (Jan. 6, 2022).

(With Danielle Keats Citron) *The Latest Tech Hearing Is About Helping Trump on Election Day*, Slate (Oct. 28, 2020).

*The CDC Must End Its Silence on the Racial Impact of Covid-19*, Wash. Post (Apr. 7, 2020, 4:54 PM).

*A Congress of "Firsts" Needs Real Diversity*, CNN (Nov. 30, 2018).

*Capitol Hill Must Fix Itself Before It Can Fix the Country*, Wash. Post (Oct. 15, 2018).

*Against a 'Post-Racial' Voting Rights Act*, The American Prospect (Aug. 21, 2013).

*Protecting Voting Rights Is Not 'Crazy,'* The Huffington Post (March 19, 2013).

*Million Dollar Contributions Corrupt Democracy*, Huffington Post (Oct. 8, 2013).

*Texas Shows Congress Must Update the Voting Rights Act*, Huffington Post (Aug. 1, 2013).

*How to Update the Voting Rights Act*, Huffington Post (June 25, 2013).

*Scalia's 'Voter Access' Case*, Huffington Post (June 17, 2013).

*Justice Scalia's Latest 'Racial Entitlement' Remark*, Huffington Post (April 17, 2013).

*The Other Voting Rights Case*, Huffington Post (Mar. 17, 2013).

*The 'Law' of Perpetuating Racial Entitlement*, Huffington Post (Feb. 28, 2013).

*Shelby County v. Holder: Voting Discrimination Remains Concentrated in Covered States*, SCOTUSBlog (Feb. 14, 2013).

*The Next Voting Rights Act: The Great Debate*, Reuters (Jan. 30, 2013).

*The Carter-Baker ID Card Proposal: Worse Than Georgia*, Roll Call (Sept. 28, 2005).

*Stealing Liberty*, The Crisis Magazine (Jan./Feb. 2005).

*The Problems with Requiring ID at the Polls*, Roll Call (Apr. 11, 2005).

(With Tokaji, Daniel). *Profiling at the Polls in Ohio*, Dayton Daily News (Oct. 30, 2004).

*Bush Should Push Election Reforms*, Newsday (Nov. 8, 2004).

*Fannie Lou Hamer Wouldn't Like This*, Los Angeles Times A11 (Mar. 29, 2001).

*Reform for the Rest of America*, Washington Post (May 10, 2001).