

# Nirej S. Sekhon

Georgia State University  
College of Law  
P.O. Box 4037,  
Atlanta, GA 30302-4037  
nsekhon@gsu.edu  
415-439-9259

---

## ACADEMIC

### EXPERIENCE:

**Georgia State University College of Law, Atlanta, GA**

*Professor of Law*

*Associate Professor of Law*

*Assistant Professor of Law*

August 2021 – Present  
August 2015 – May 2021  
July 2009 – August 2015

**Stanford University Law School, Stanford, CA**

*Thomas C. Grey Fellow*

May 2006 – May 2009

### EDUCATION:

**New York University School of Law, New York, NY**

JD, *magna cum laude*, May 2000

JOURNAL: New York University Law Review, Associate Editor

HONORS: Order of the Coif

Florence Allen Scholar

**Cornell University, College of Arts & Sciences, Ithaca, NY**

BA in Economics, BA in Government, *magna cum laude*, May 1995

HONORS: Graduated with Distinction

Phi Beta Kappa

### PUBLICATIONS:

*Catchall Policing and the Fourth Amendment*, 71 Duke L.J. Online 111 (2022) (arguing that the catchall tradition in American policing undermines constitutional regulation).

*Critical Legal Studies and the Police*, 43 Cardozo L. Rev. 1187 (2022) (arguing that the complexity of constitutional police regulation generates indeterminacy that favors police).

*Representative Defendants* 81 Ohio St. L. Rev. 19 (2020) (arguing that criminal defendants play a central role vindicating third-party interests).

*Police and the Limit of Law*, 119 Columbia L. Rev. 1711 (2019) (arguing the police wield a form of “sovereign power” that is not subject to legality-based restraint).

*The Chokehold*, 57 Louisville L. Rev. 43 (2019) (symposium) (reviewing Paul Butler, *Chokehold* (2017)).

*The Second Amendment in the Street*, 112 Northwestern U. L. Rev. Online 271 (2018) (arguing that Fourth Amendment creates considerable latitude for police to evade Second Amendment’s implications for gun interdiction in poor minority communities).

*Dangerous Warrants*, 93 Wash. L. Rev. 967 (2018) (arguing that non-compliance warrants are a distinct type of warrant that create unique constitutional and extra-constitutional harms).

*Mass Suppression: Aggregation and the Fourth Amendment*, 51 Ga. L. Rev. 429 (2017) (arguing that criminal courts should permit different defendants to aggregate suppression motions to challenge patterns of unconstitutional police conduct) (*reprinted at* 45 Search & Seizure L. Rep. 57 (2018)).

*Purpose, Policing, and the Fourth Amendment* 107 J. Crim. L. & Criminology 65 (2017) (arguing that framework for analyzing state purpose in Fourth Amendment jurisprudence is underdeveloped but could be a basis for a robust regulation police agencies' institutional design).

*Blue on Black: An Empirical Assessment of Police Shootings*, 54 Am. Crim. L. Rev. 189 (2016) (analyzing 259 officer-involved shootings that occurred between 2006 and 2014 in Chicago).

*Punitive Injunctions*, 17 U. Pa. J. L. & Soc. Change 175 (2014) (arguing that probation and child support orders among other judicial orders are "punitive injunctions" and proposing restrictions on courts' power to impose them).

*The Pedagogical Prosecutor*, 44 Seton Hall L. Rev. 1 (2014) (arguing that prosecutors have a duty to use their unique expressive power to advance liberal, public dialogue).

*Complementarity and Post-Coloniality*, 27 Emory Int'l L. Rev. 799 (2013) (symposium) (arguing that political, economic, and social realities in post-colonial states present significant challenges to the International Criminal Court's ability to promote domestic prosecutions of international criminal law violations).

*Redistributive Policing*, 101 J. Crim. L. & Criminology 1171 (2011) (arguing for the regulation of police departments' arrest policy based on principles of distributive justice).

*Docile Defendants and Willing Suspects: The Contradictory Role of Consent in Criminal Procedure*, 46 Harv. C.R.-C.L. L. Rev. 103 (2011) (using political theory to argue that the criminal justice system relies on a tenuous notion of consent to rationalize waiver of constitutional rights).

*Equality and Identity Hierarchy*, 3 N.Y.U. J. L. & Liberty 349 (2008) (arguing that Fourteenth Amendment jurisprudence assumes the primacy of civic identity over other kinds of identities).

*A Birthright Rearticulated: The Politics of Bilingual Education*, 74 N.Y.U. L. Rev. 1407 (1999) (arguing against California law restricting bilingual education).

**WORKS IN  
PROGRESS:**

*Defenders As Democratic Faction* (in progress) (arguing that defenders should be empowered to act as systemic checks on carceral policy-making).

*Crime Control and the Contradictions of Modern Policing* (in progress) (arguing that inconsistent conceptions of "crime control" have animated police administrators', courts', and police officers' understandings of police purpose and regulation).

**PRESENTATIONS:**

*Crime Control and the Contradictions of Modern Policing* (workshop), Law of the Police Conference, University of South Carolina School of Law, Columbia, South Carolina – June 9, 2022.

*Crime Control and the Contradictions of Modern Policing* (workshop), Grey Fellows Forum, Stanford University Law School, Stanford, CA (virtual) – June 3, 2022.

*Crime Control and the Contradictions of Modern Policing* (podium), University of Kentucky, Lexington, KY – May 7, 2022.

*Crime Control and the Contradictions of Modern Policing* (podium), University of Nevada, Las Vegas, Las Vegas, NV (virtual) – March 21, 2022.

*Fourth Amendment Overview* (Training), Atlanta Civilian Review Board, Atlanta, GA (virtual) – March 20, 2020.

*Police Discrimination* (panel), Impacts of Racialized Police Practices, Law & Society Annual Meeting – May 21, 2020.

*Police Discrimination* (podium), University of North Carolina School of Law, Chapel Hill, N.C. – Feb. 20, 2020.

*Racism Without Racists? Fixing Disparity in Criminal Justice* (podium), Bowling Green State University, Bowling Green, O.H. – April 15, 2019.

*Police and the Limit of Law* (podium), Tulane University School of Law, New Orleans, L.A. – April 1, 2019.

*Dangerous Warrants* (podium), Department of Criminal Justice & Criminology, Georgia State University, Atlanta, G.A. – Feb. 22, 2019.

*The Thin Blue Paradox: Sovereignty and the Police* (workshop), ABA Criminal Justice Section Fall Institute, Washington, D.C. – November 1, 2018

*The Thin Blue Paradox: Sovereignty and the Police* (podium), Georgia State University College of Law – October 2, 2018.

*Policing and Political Theory* (panel), Law & Society Annual Meeting, Toronto, Canada – June 8, 2018.

*The Thin Blue Paradox: Sovereignty and the Police* (workshop), Grey Fellows Forum, Stanford University Law School, Stanford, CA – May 25, 2018.

*Dismantling Structural Inequality: Lock ups, Systemic Chokeholds, and Race-Based Policing* (symposium), University of Louisville, Louisville, KY – March 23, 2018.

*Procedure's Illusion: Legality, Sovereignty, and the Police* (workshop), Southeastern Criminal Law Scholars, Emory University, Atlanta, GA – Feb. 22, 2018.

*Critical Constitutionalism* (panel), LatCrit XXI, Orlando, CA – Sept. 29, 2017.

*Dangerous Warrants* (workshop), AALS Criminal Justice Section Meeting, American University College of Law, Washington, D.C. – June 13, 2017.

*House Judiciary Committee Policing Strategies Working Group* (roundtable), Georgia State University College of Law, Atlanta, GA – November 18, 2016.

*Compliance Warrants* (workshop), ABA Criminal Justice Section Fall Institute, Washington, D.C. – November 3, 2016.

*Blue on Black* (workshop), Conference of Asian and Pacific American Law Faculty, University of California Davis, Davis, CA – April 8, 2016.

*Changes in the Law* (panel), Atlanta Bar Association Symposium on Equal Justice in Law Enforcement, Atlanta, GA – January 14, 2016.

*Black Lives, Blue Bullets* (panel), LatCrit XX, Anaheim, CA – October 2, 2015.

*Black Lives, Blue Bullets* (workshop), CrimFest Annual Conference, Cardozo Law School, New York, NY – July 20, 2015.

*Criminal Courts and Police Regulation* (panel), Law & Society Annual Meeting, Seattle, WA – May 28, 2015.

*Punitive Injunctions* (Civil Incarceration & Right to Counsel panel), University of Pennsylvania Law School, Philadelphia, PA – April 16, 2015.

*Criminal Courts and Police Regulation* (podium), University of Tennessee College of Law, Knoxville, TN – April 9, 2015.

*Criminal Courts and Police Regulation* (workshop), Conference of Asian and Pacific American Law Faculty, Northeastern University, Boston, MA – March 8, 2015.

*State Purpose and the Fourth Amendment* (panel), CrimFest Annual Conference, Rutgers University College of Law, Newark, NJ – July 22, 2014.

*State Purpose and the Fourth Amendment* (podium), St. John's University School of Law, Queens, NY – April 14, 2014.

*State Purpose and the Fourth Amendment* (podium), Stetson University College of Law, Tampa, FL – March 6, 2014

*The Pedagogical Prosecutor* (panel), Law & Society Annual Meeting, Boston, MA – May 31, 2013.

*Constructive Complementarity: A Domestic Solution to International Crimes* (symposium), Emory International Law Review Symposium, Atlanta, GA – February 26, 2013.

*Punitive Injunctions* (podium), Wake Forest University College of Law, Winston-Salem, NC – September 27, 2012.

*Disciplining the Masses: Judicial Governance and Punitive Power* (panel), Law & Society Annual Meeting, Honolulu, HI – June 8, 2012.

*Disciplining the Masses: Judicial Governance and Punitive Power* (workshop), NYU-BLS Criminal Law Theory Colloquium, New York, NY – Feb. 28, 2012.

*Redistributive Policing* (panel), American Society of Criminology Annual Meeting, Washington, D.C. – November 17, 2011.

*Guantanamo & Domestic Criminal Justice* (panel), LatCrit XVI, San Diego, CA – October 7, 2011.

*Guantanamo & Domestic Criminal Justice* (panel), Law & Society Annual Meeting, San Francisco, CA – June 3, 2011.

*Beyond the Bad Cop* (panel), LatCrit XV, Denver University – October 8, 2010.

*Taking Their Pick: Police Departments & Discretion* (workshop), Law & Society Annual Meeting, Chicago, IL – May 29, 2010.

*Taking Their Pick: Police Departments & Discretion* (podium), University of Georgia School of Law, Athens, GA – April 12, 2010.

*Taking Their Pick: Police Departments & Discretion* (podium), Georgia State University College of Law – March 30, 2010.

*Korematsu in the 21<sup>st</sup> Century: Have We Given Up on Accountability* (panel), Western Law Teachers of Color & Conference of Asian and Pacific American Law Faculty, University of Arizona – March 5, 2010.

Atlanta Civilian Review Board (training), Georgia State University College of Law – November 7, 2009.

*Departmental Discretion and Racial Disparity in Arrest Rates* (workshop), LatCrit XIV, American University – October 3, 2009.

*Consent of the Accused* (workshop), Western Law Teachers of Color & Conference of Asian and Pacific American Law Faculty, Denver University – April 25, 2008.

**TEACHING**

**SUBJECTS:**

Criminal Law, Criminal Procedure: Investigations, Criminal Procedure: Adjudication, International Criminal Law, Criminal Regulation of Vice

**SERVICE:** GSU Clerkship Committee, Chair 2017-21  
Order of the Coif, Strategic Planning Comm., Member 2018-19  
GSU Student Affairs Committee, Chair 2014-16

**OTHER**

**EXPERIENCE:** **Lieff Cabraser Heimann & Bernstein**, San Francisco, CA July 2004 – April 2006  
*Associate*

Litigated employment, civil rights, and consumer cases on behalf of plaintiffs, including challenges against: Mexico and the United States for failing to compensate *bracero* workers; the Bay Area’s public transportation funding agency for discriminating against minority riders; and not-for-profit hospitals for price gouging uninsured patients.

**The Defender Association**, Seattle, WA August 2003 – January 2004  
*Staff Attorney, Misdemeanors Unit*  
Represented individuals accused of misdemeanors.

*Staff Attorney, Racial Disparity Project* October 2002 – August 2003  
Represented defendants charged with felony narcotics offenses in a consolidated motion to dismiss based upon the Seattle Police Department’s selective enforcement of drug laws against racial minorities.

**BAR**

**MEMBERSHIP:** California, Washington