

Jenny-Brooke Condon

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SETON HALL UNIVERSITY SCHOOL OF LAW, NEWARK, NJ (8/2010 TO PRESENT)

Professor of Law

- ✦ Subject Matters: Constitutional Law; Clinic
- ✦ Director, Equal Justice Clinic, a five-credit, civil rights clinic with a focus on the needs of individuals who interact with the criminal justice system and prisoner reentry. Currently the clinic is counsel in matters addressing conditions for prisoners at an urban county jail, treatment provided to civilly committed sex offenders, public access to information regarding private prison contractors' influence on immigration detention policy. The clinic is also co-counsel in state post-conviction proceedings on behalf of a death-sentenced prisoner in Alabama.

**JOHN J. GIBBONS FELLOW IN PUBLIC INTEREST AND CONSTITUTIONAL LAW GIBBONS P.C.,
Newark, NJ (2008-2010)**

- ✦ Represented individual and organizational clients in wide range of public interest litigation in federal, state, and immigration court involving human rights, racial justice, criminal procedure, women's rights, voting rights, FOIA, gun control, and the death penalty.
- ✦ Highlights: authored summary judgment motion in ACLU's "Torture FOIA" litigation that led to the release of four, now-repudiated Office of Legal Counsel memoranda purporting to authorize CIA torture abroad; contributed to criminal defense of Ali al-Marri, the last "enemy combatant" held on U.S. soil; authored amicus briefs to U.S. Supreme Court in *Sullivan v. Florida*; *Graham v. Florida*, arguing that life without parole sentences for juveniles violate the Eighth Amendment; helped litigate challenge to New Jersey's civil union law on behalf of same-sex couples denied opportunity to marry; defended Jersey City's gun control measure on behalf of community organization before the New Jersey Supreme Court.

SETON HALL UNIVERSITY SCHOOL OF LAW, NEWARK, NJ (8/2005-8/2008)

- ✦ Visiting Clinical Professor ○ Immigration & Human Rights Clinic (7/2007-8/2008)
- ✦ Supervised five credit, semester-long immigration and human rights clinic focused on asylum, trafficking, and obtaining protection for immigrant victims of domestic violence;
- ✦ Clinical Teaching Fellow ○ Immigration & Human Rights Clinic (2005-2007), Civil Litigation Clinic (2005-2008)
- ✦ Co-supervised students in five credit, semester-long immigration and human rights clinic;
- ✦ Co-supervised students in five credit, semester-long civil litigation clinic focused on civil rights, consumer fraud, and predatory lending.

CLINICAL ACHIEVEMENTS

- ✦ *Colon v. Passaic County Jail*: Along with co-counsel ACLU of New Jersey and Dechert LPP, obtained federal court approval of a comprehensive settlement agreement in Eighth Amendment challenge to overcrowded, unsafe, unsanitary, and degrading conditions of confinement at county jail.
- ✦ *Matter of AT*: Obtained asylum for Malian victim of female genital mutilation (FGM) after extensive litigation; collaborated with team of attorneys and advocates nationwide in advocacy effort that successfully persuaded former Attorney General Mukasey in 2008 to reverse the Board of Immigration Appeals and issue a precedential decision establishing that victims of gender-based violence are entitled to the same regulatory presumptions as other refugees under the asylum law.
- ✦ Filed summary judgment brief in federal civil rights police misconduct case against City of Trenton that resulted in \$700,000 settlement for minor daughter of woman killed as a result of domestic violence.
- ✦ Petitioned Inter-American Commission on Human Rights in challenge to unlawful detention of Haitian political prisoner; client subsequently released.
- ✦ Represented numerous clients in successful claims for asylum, VAWA relief, and T-visas.
- ✦ *Omar/Munaf v. Geren*: Co-wrote *amicus* brief to the U.S. Supreme Court on behalf of leading human rights organizations arguing that substantive due process and the Convention Against Torture limit the government's ability to transfer two U.S. citizens detained by the United States military to Iraqi custody;
- ✦ *Qassim v. Bush*: Co-authored brief to the U.S. Supreme Court on behalf of *amici curiae*, 300+ Guantanamo detainees, documenting coercive conditions of confinement and abusive interrogation at Guantanamo.
- ✦ *Bimenyimana v. Holder*, co-wrote *amicus* brief to the U.S. Court of Appeals for the Fourth Circuit in removal case on behalf of 30 human rights scholars arguing that the absolute prohibition on transfers to torture established in international and domestic human rights law bars removal based upon diplomatic assurances from countries that torture.
- ✦ *Khouzam v. Hogan*: Co-wrote *amicus* brief to the U.S. Court of Appeals for the Third Circuit in removal case arguing that diplomatic assurances from countries that torture should be rejected as inherently unreliable under the Convention Against Torture;
- ✦ *Arar v. Ashcroft*: authored section of brief to the Second Circuit on behalf of *amici curiae*, constitutional law professors, arguing that extraordinary rendition is unconstitutional.

OTHER LEGAL EXPERIENCE

World Organization for Human Rights USA, *Litigation Director*, Washington, D.C., 2004-05
Represented women facing gender-based persecution in immigration and federal court; litigated habeas challenge to detention of U.S. citizen in Saudi Arabia. Drafted "shadow report" to U.N. Committee Against Torture addressing U.S. counterterrorism policies. Supervised legal interns, contributed to organizational management and funding initiatives.

Honorable Barry T. Albin, *New Jersey Supreme Court*, *Law Clerk*, Somerville, NJ, 2003-2004

Equality Now, *Legal Intern*, New York, NY, *Fall 2002*

Researched U.S., foreign, and international law to support organization's advocacy protecting human rights of women; researched use of state licensing laws to shut down sex tourism operators.

New Jersey Institute for Social Justice, *Legal Intern*, Newark, NJ, *Summer 2002*

Researched and analyzed civil legal barriers to prisoners' reentry in New Jersey as part of research and policy initiative; contributed to manual addressing restoration of drivers' licenses for returning individuals and low-income residents, helped draft pleadings on behalf of coalition of public interest organizations challenging zoning regulations for affordable housing.

Urban Justice Center, *Legal Intern*, *Mental Health Project*, New York, NY, *Summer-Fall 2001*

Represented low-income individuals with psychiatric disabilities before administrative law judges in welfare benefits and social security appeals. Drafted petitions seeking appellate review of administrative law judge decisions.

EDUCATION

Seton Hall University School of Law, Newark, NJ

J.D. magna cum laude, top 5 percent, June 2003

- ✦ Order of the Coif
- ✦ Chancellor's Scholar
- ✦ Law Review Scholarship Award for Best Student Law Review Article (2002-2003)
- ✦ First Place, 2003 William McGee National Civil Rights Moot Court Competition (University of Minnesota) (with partner)
- ✦ Articles Editor, Seton Hall Law Review
- ✦ Clinic Award, Immigration and Human Rights

The George Washington University, Washington, D.C.

B.A. Journalism/Fine Arts, magna cum laude, May 1998

- ✦ Phi Beta Kappa
- ✦ *La Universidad Catolica & La Universidad de Chile*, Santiago, Chile (1997)

PUBLICATIONS

Law Reviews

Equal Protection Exceptionalism, 69 RUTGERS L. REV. 563 (2017).

The Preempting of Equal Protection for Immigrants? 73 WASH. & LEE L. REV. 77 (2016)

Illegal Secrets, 91 WASH. U. L. REV. 1099 (2014)

Extraterritorial Interrogation: The Porous Border Between Torture and U.S. Criminal Trials, 60 RUTGERS L. REV. 3 (2008)

Asylum Law's Gender Paradox, 33 SETON HALL L. REV. 207 (2002)

Other Publications

Opinion: To End Criminalization of Poverty, NJ Cannot Stop with Bail Reform, New Jersey Law Journal (Aug. 9, 2018) (with Lori Outzs Borgen and Esere Onaodowan)

Opinion: The Senate Torture Report: The Revealing of Illegal Secrets, Bergen Record (December 2015)

Opinion: Expectations of Privacy: Ruling on Spying by GPS, Bergen Record (Feb. 27, 2012)

Opinion: Immigration Ruling Hits Home, Bergen Record (Jul. 8, 2012)

Opinion: Don't Touch Gun-Carry Permit Law, Bergen Record (Oct. 10, 2010) (with Linda Fisher)

Arkansas' New Senator Turns Her State into Land of Lincoln, Roll Call (Nov. 5, 1998)*

SLAPP Suit Ruling Favors Citizen Group, Winsted Journal (2002)*

The First and Last Congresses of the 20th Century: A Comparison, Roll Call (January 1999)*

*Additional published news reporting available.

PRESENTATIONS & LECTURES

Technology and 21st Century Small Firm Practice, *Ethical Issues and Metadata in Electronic Documents*, Seton Hall Law School (March 2017)

Seton Hall Law School Panel Discussion on the Immigration Executive Orders, *Moderator* (February 2017)

Workshop on Sanctuary, Columbia Law School, *Commentator on Understanding the Limits of Sanctuary* (December 2016)

NYC-Area Junior Faculty Colloquium, *Equal Protection Exceptionalism* (October 2016)

New England Junior Faculty Workshop in Boston, *Scrutinizing Immigration Federalism* (February 2016)

Seton Hall Law School Faculty Scholarship Workshop, *The Preempting of Equal Protection for Immigrants* (August 2015)

University of Miami Emerging Immigration Scholars Conference, *The Preempting of Equal Protection for Immigrants?* (June 2015)

Clinical Writers' Workshop, New York University Law School, *The Preempting of Equal Protection for Immigrants?* (September 2014)

University of Massachusetts School of Law Junior Faculty Scholarship Exchange, *The Preempting of Equal Protection for Immigrants?* (September 2014)

Albany Law School Scholarship and Teaching Development Workshop, *Illegal Secrets* (February 2013)

Seton Hall Law School Black Law Student Association and Muslim Law Student

Association Black History Month Event

- ✦ Moderator, *The Constitutionality of Surveillance: Minority Communities* (February 2012)

Practicing Law Institute's Prison Law Seminar in New York,

- ✦ Panelist, *Structural Remedies for Conditions of Confinement: Lessons from Colon v. Passaic County Jail*. (August 2012)

Public Interest Collective's Legal Conference for Social Justice at Columbia Law School

- ✦ Panelist, *Combating Violence Against Women* (September 2012)

Immigration Reform Panel, Seton Hall University School of Law

- ✦ Moderator, Closing the Door: A Panel Discussion on Immigration Reform (April 2006)

Center for American Women & Politics, Eagleton Institute for Politics, NEW Leadership Conference

- ✦ Panelist, *Legal Solutions to Trafficking* (April 2006)

Seton Hall Law School Faculty Colloquium

- ✦ Presenter, work-in-progress: *Extraterritorial Interrogation: The Porous Border Between Torture and U.S. Criminal Trials* (November 2006)

Faculty Delegate/Lecturer at Ecole Supérieure Catholique de Droit de Jérémie,

- ✦ Faculty Presenter, Jérémie, Haiti (March 2007); Supervised Seton Hall Law student lectures and led group discussion on the *Interim Cooperation Framework*, the international community's development plan for Haiti.
- ✦ Faculty Delegate and Organizer, Seton Hall Law Delegation to Jérémie, Haiti (February 2008); Supervised student lectures, organized trip, and developed human rights-focused itinerary, including meeting with detainees at local jail and with human rights lawyers and grassroots community activists in their neighborhoods in Port-au-Prince.

CONFERENCES

Immigration Professors' Conference

- ✦ Discussant, Scholarly Work-in-Progress Philadelphia (May 2018)

AALS Clinical Conference on Legal Education

- ✦ Discussant, Scholarly Work-in-Progress *Reentry after Trump*, Chicago (May 2018)

AALS Clinical Conference on Legal Education

- ✦ Discussant, Scholarly Work-in-Progress *Crimeviction*, Denver, CO (May 2017)

AALS Clinical Conference on Legal Education

- ✦ Presenter, Scholarly Work-in-Progress, *Scrutinizing Immigration Federalism*, Baltimore, MD (May 2016)

AALS Clinical Conference on Legal Education

- ✦ Presenter, Innovations Showcase, *Expanding Lawyering Skills: Out of the Courtroom and Into the Studio*, San Juan, PR (May 2013)

AALS Clinical Conference on Legal Education

- ✦ Presenter, Scholarly Work-in-Progress, *Illegal Secrets*, Los Angeles, CA (May 2012)

AALS Clinical Conference on Legal Education

- ✦ Presenter, *Risks, Mistakes and Opportunities When Clinics Contribute to Transitional Justice: A Case Study of Two Clinical Projects & the Liberian Truth and Reconciliation Commission* (with Bassina Farbenblum and Sarah Paoletti) Phoenix, AZ (May 2008)

AALS Clinical Conference on Legal Education

- ✦ Presenter, *Challenging Gender and Culture-Based Assumptions in Representing Survivors of Gender-Based Human Rights Abuses* (with Lori A. Nessel), New Orleans, LA (May 2007)

Advancing Human Rights in Haiti: Exploring MINUSTAH's Record

- ✦ Organizer of forum in advance of reauthorization of UN peacekeeping force in Haiti to explore accusations that the Mission committed human rights violations against civilians. Seton Hall Law School (September 2007).