

**RALPH RICHARD BANKS**

Stanford Law School  
559 Nathan Abbott Way; Stanford. CA 94305-8610  
(650) 723-6591; rbanks@stanford.edu

**EDUCATION**

**Harvard Law School**, *Juris Doctor, cum laude*, June 1994

**Stanford Graduate School of Education**, *Master of Arts*, June 1987

Specialization: Administration and Policy Analysis

Completed both bachelor's and master's degrees in four years

**Stanford University**, *Bachelor of Arts*, June 1987

Individually Designed, Multi-Disciplinary Major (Sociology, Economics, Psychology)

Dean's Award for Service, granted to less than 1% of student body

**PROFESSIONAL EXPERIENCE**

**Stanford University**

Jackson Eli Reynolds Professor of Law, Sept. 2006-present

Professor of Education, by courtesy, 2010-present

Professor of Law & Justin M. Roach Jr. Faculty Scholar, Sept. 2004-August 2006

Associate Professor of Law, 2001-2004

Assistant Professor of Law, 1998-2001

**Harvard Law School**

Visiting Professor, January 2007

Reginald F. Lewis Fellow, 1996-1997

Mark de Wolfe Howe Fund Fellowship, 1997

**University of Virginia School of Law**

Visiting Professor, Spring 2005

## **Courses Taught**

Family Law

14<sup>th</sup> Amendment Law

Employment Discrimination Law

Equal Protection: Race and the Law

Educational Inequality (cross-listed in Graduate School of Education)

Regulation of Intimate Decision-Making

Race, Marriage and Inequality

Property Law

Real Estate Transactions

## **Legal Practice**

Judicial Clerk to the Honorable Barrington D. Parker, Jr., United States District Court, Southern District of New York, 1997-1998

Associate, O'Melveny & Myers, 1994-1995

Summer Associate (extended offers of employment at both firms)

Shearman & Sterling, Summer 1993

Cadwalader, Wickersham & Taft, Summer 1992

## **Realtor**

Licensed California Real Estate Broker

Fox and Carskadon Realtors, Palo Alto, CA, 1988-1991

Merit McBride Realtors, Palo Alto, CA, 1986-1988

## **Journalist**

Weekly Newspaper Columnist, Peninsula Times-Tribune, 1989-1992

Freelance columnist, articles published in dozens of newspapers throughout the country

**STANFORD AFFILIATIONS**

**Clayman Institute for Gender Research**

Research Fellow

Faculty Advisory Board Member

Reviewer, Fellowship Applications

Participant, Difficult Dialogues Workshop

**Center for Comparative Studies in Race and Ethnicity**

Faculty Affiliate

Junior Faculty Fellow

**Stanford Center for Opportunity Policy in Education**

Faculty Affiliate

**Center for the Study of Poverty and Inequality**

Faculty Affiliate

**Program in African and African-American Studies**

Faculty Advisory Board

Faculty Affiliate

**LAW SCHOOL COMMITTEE SERVICE** (partial listing)

Faculty Appointments and Recruitment (entry level and lateral)

Dean's Search

Curriculum

Admissions (review of applications)

Information Resources

Clerkships

Clinical Education

**OTHER LAW SCHOOL ACTIVITIES** (partial listing)

Coordinator, Faculty Workshop/Speaker Series  
Co-Convener, Race, Law and Inequality Roundtable  
Frequent Speaker at Alumni Events  
Founder, Bay Area Junior Faculty Forum  
Founder and Director, Night School  
Faculty Advisor, Black Law Students Association  
Task Force on the Mission of Stanford Law School

**OTHER UNIVERSITY SERVICE** (partial listing)

Frequent speaker at University alumni events  
Freshman Advisor  
Undergraduate Honors Thesis Advisor  
University Advisory Panel on Investment Responsibility (which reports to the University Board of Trustees)  
Fellowship Application Reviewer, Stanford Humanities Center  
Co-Organizer, University commemoration of the 50<sup>th</sup> Anniversary of Brown v. Board of Education

**OTHER PROFESSIONAL SERVICE** (partial listing)

**Law & Society Association**

Chair, Kalven Prize Committee  
Program Committee, Annual Conference  
Editorial Advisory Board, *Law and Society Review*

**Law and Humanities Junior Scholars Workshop**

Manuscript reviewer  
Colloquium Commentator

Council on Contemporary Families

Harvard Civil Rights Project/Earl Warren Legal Institute Working Group

## **COMMUNITY SERVICE**

**Board of Trustees, Phillips Brooks School, Menlo Park, CA**

Governance Committee

Task Force on Program Excellence

Task Force on School Identity

Strategic Planning Committee

**Board of Directors, Foundation for a College Education, East Palo Alto, CA**

Development Committee

**Facilitator, Circle of Care, East Bay Agency for Children**

Provided support for children and parents confronting a death in the family

## **SCHOLARLY PUBLICATIONS**

### **Books**

Is Marriage for White People? How the African American Marriage Decline Affects Everyone,  
New York: Dutton, 2011

Selected by the Wilson Quarterly (the official publication of the Woodrow Wilson International Center for Scholars), as one of the Top Ten Books of 2011

Favorably reviewed in dozens of major newspapers, magazines and academic journals, both in the United States and abroad, including:

*The Los Angeles Times* (“A must-read for anyone who has an interest in understanding race relations in the United States.”)

*The New York Times*, Sunday Book Review (“A well-researched and probing discussion of why marriage rates are so low among black Americans... an important book, and not only for those interested in African-American life.”)

*The San Francisco Chronicle* (“That rare piece of writing that takes a fresh look at a much-discussed problem.”)

*Kirkus Reviews* (“A brave and convincing argument...A triumphant work that demystifies the intersection between compatibility and color.”)

Featured in a wide range of publications, including *The Wall Street Journal*, *The Economist*, *Essence* magazine, *The Village Voice*, *Time*, *Newsweek/The Daily Beast*, the *Los Angeles Times*, *The Chicago Tribune*, and the *San Jose Mercury News*

Widespread television coverage, including CNN, ABC News/*Nightline*, *Dr. Drew*, *Anderson* (Anderson Cooper’s daytime talk show), *The Gayle King Show*, *The View*, and Fox News, among many others

Widespread radio coverage, including NPR (both national and local), WNYC *The Takeaway*, WHYY, WBEZ Chicago, WAOK Atlanta, the *Tom Joyner Morning Show*, *The Michael Baisden Show*, and many others

Law and Race: Consensus and Controversy in Twenty-First Century America (Forthcoming, Foundation Press, 2014) (with Professors Kim Forde-Mazrui and Guy-Uriel Charles)

First of its kind casebook that examines the intersection of law and racial inequality in various settings

Why (Black) Boys Fail, and Why our Future requires their Success (work-in-progress)

Race, Class and College Admissions: How “Diversity” Undermines Affirmative Action (work-in-progress)

## **Book Chapters**

Race, Crime and Antidiscrimination (with Jennifer L. Eberhardt and Lee Ross), in Beyond Common Sense: Psychological Science in the Courtroom (2008) (Eugene Borgida and Susan Fiske, eds.)

Beyond the Common Knowledge of Sex and Race Discrimination, in Beyond Common Sense: Psychological Science in the Courtroom (2008) (Eugene Borgida and Susan Fiske, eds.)

The Story of Brown v. City of Oneonta: The Uncertain Meaning of Racially Discriminatory Policing under the Equal Protection Clause, in Constitutional Law Stories 223 (2004) (Michael Dorf, ed.)

Social Psychological Principles and the Legal Bases of Racial Categorization (with Jennifer L. Eberhardt) in Racism: The Problem and the Response (1998) (Jennifer L. Eberhardt and Susan T. Fiske, eds.)

## Law Review Articles

### Family and Intimacy

Intimacy and Inequality: The Changing Contours of Family Life, *Indiana Journal of Law and Social Equality*. (forthcoming 2013)

Are African Americans “Us”? *Boston University Law Review* (forthcoming 2013)

The Multiethnic Placement Act and the Troubling Persistence of Race Matching, *38 Capital University Law Review* 271 (2009)

Why Do So Many People Oppose Same-Sex Marriage?, *5 Stanford Journal of Civil Rights & Civil Liberties* 409 (2009)

The Aftermath of Loving v. Virginia: Sex Asymmetry in African American Intermarriage, *533 Wisc. L. Rev.* (2007)

African American Intimacy: The Racial Gap in Marriage, *11 Mich. J. Race & L.* 115 (2005) (with Su Jin Gatlin)

A Response to Elizabeth Bartholet *107 Yale Law Journal* 2357 (1998) (correspondence regarding The Color of Desire article)

The Color of Desire: Fulfilling Adoptive Parents’ Racial Preferences through Discriminatory State Action, *107 Yale Law Journal* 875 (1998)

### Equal Protection and Antidiscrimination Law

(How) Does Unconscious Bias Matter?: The Law and Politics of Racial Inequality, *58 Emory Law Journal* 1053 (2009) (with Richard Thompson Ford)

Beyond Colorblindness: Neo-Racialism and the Future of Race and Law Scholarship, *25 Harv. Black Letter L.J.* 41 (2009)

Class and Culture: The Indeterminacy of Nondiscrimination, *5 Stanford Civil Rights-Civil Liberties Law Review* 1 (2009)

Discrimination and Implicit Bias in a Racially Unequal Society, *94 Cal. L. Rev.* 1169 (2006) (with Jennifer L. Eberhardt and Lee Ross)

The Benign-Invidious Asymmetry in Equal Protection Analysis, *31 Hastings Const. L. Q.* 573 (2003)

Race-based Suspect Selection and Color Blind Equal Protection Doctrine and Discourse, *48 UCLA Law Review* 1075 (2001)

Racial Profiling

Group Harms in Antiterrorism Efforts: A Pervasive Problem with No Simple Solution, *117 Yale L.J. Pocket Part TK* (2008), <http://thepocketpart.org/2008/TK /TK/TK.html>.

Racial Profiling and the War on Terror, (debate with David Rudovsky), *PENNumbra*, (2007), an online publication of the University of Pennsylvania Law Review

Racial Profiling and Antiterrorism Efforts, *89 Cornell L. Rev.* 1201 (2004)

Beyond Profiling: Race, Policing, and the Drug War, *56 Stanford Law Review* 571 (2004)

Education

The Lessons of Stereotype Threat (work-in-progress)

Meritocratic Values and Racial Outcomes: Defending Class-based College Admissions, *79 North Carolina Law Review* 1029 (2001)

Book Reviews

Intimacy and Racial Equality: The Limits of Antidiscrimination, *38 Harv. Civ.Rts.-Civ. Liberties L. Rev.* 455 (2003) (review essay of Interracial Intimacies by Randall Kennedy)

Review of The Ethics of Transracial Adoption, *1 Perspectives On Politics* (2003) (American Political Science Association journal)

The Political Economy of Racial Discourse, *9 Yale Journal of Law & the Humanities* 217 (1997) (review essay of Racial Healing, by Harlan Dalton)

“Nondiscriminatory” Perpetuation of Racial Subordination, *76 Boston University Law Review* 669 (1996) (review essay of Black Wealth/White Wealth, by Melvin L. Oliver and Thomas Shapiro)

Toward an Understanding of Black Identity, *2 Harvard Black Letter Law Journal* 215 (1994) (review of Lure and Loathing, Gerald Early, ed.)

Other

Commentary on Professor Lempert’s Presidential Address, *44 Law and Society Review* 3/4 (2010)

Symposium Introduction, *17 Harv. Black Letter L. J.* 23 (Spring 2001)



**POPULAR PRESS PUBLICATIONS** (partial listing)**Print**Race and Marriage

Love Beyond Black and White, *Essence* magazine, September 2011.

An Interracial Fix for Black Marriage, *The Wall Street Journal*, August 6, 2011.

Social Policy and Politics

Crime-Abortion Link Isn't a Racist Attack, *Los Angeles Times*, August 23, 1999.

Race Matters Most, *Los Angeles Times*, May 22, 1995.

Rutgers, Race and Reality, *New York Times*, March 11, 1995. (with Jennifer L. Eberhardt)

Return the Focus to Redressing Wrongs Traceable to Slavery, *Los Angeles Times*, February 3, 1995.

The Most Insidious Quota of All: The Quota for White Men, *The Evening Sun*, (Baltimore), July 26, 1991.

From Kids to Dealers, *The Atlanta Journal and Constitution*, December 26, 1990.

White Benefits Unchallenged, *The Plain Dealer* (Cleveland), September 25, 1990.

Killer's Plea Shows System for What it is, *The Los Angeles Daily News*, September 9, 1990.

The 'Problem' of Teenage Pregnancy, *The Detroit News*, July 28, 1990.

We Need to Do More About Drugs than 'Just Say No,' *Chicago Tribune*, August 10, 1988.

Race Relations and Cultural Criticism

Why Race Still Matters, *The Baltimore Sun*, June 13, 1995.

A New Way to Sidestep America's racial problems, *Albany Times Union*, May 24, 1995.

The Power of Racial Imagery, *San Francisco Chronicle*, April 3, 1995.

We Believe What We Want, *Los Angeles Times*, November 18, 1994.

It's His Celebrity Not His Race, *Los Angeles Times*, July 11, 1994.

PC: A New Trend? *Oakland Tribune*, September 1, 1991. (with Dorothy Chin)

Blinded by Paranoia, *The Evening Sun* (Baltimore), January 3, 1991.

Why Cling to the Notion of Black Self-Hate? *The Detroit News*, December 28, 1990.

The Legacy of Racism, the Scars, Live Within, *The Evening Sun* (Baltimore), October 8, 1990.

Black Self-Doubt Grounded in History, *The Detroit News*, August 27, 1990.

It Isn't as Simple as Racism vs. Guilt, *Honolulu Star Bulletin*, August 9, 1990.

Preferred Treatment Didn't Bother Whites, *The Oregonian*, August 9, 1990.

Symbols, Not Music, Fuel 2 Live Crew Flap, *The Atlanta Journal and Constitution*, July 18, 1990.

Perspective on the Traffic Crunch; When is a Body not a Passenger?, *Los Angeles Times*, May 21, 1990.

Black Artists are more than 'Crossovers,' *The Atlanta Journal and Constitution*, May 3, 1990.

America History is Black, Too, *The Philadelphia Inquirer*, March 3, 1990.

Toward Abolishing Black History Month, *St. Louis Post-Dispatch*, February 28, 1990.

The 4<sup>th</sup> Isn't a Holiday for Blacks, *The Philadelphia Inquirer*, July 3, 1989.

Black History is U.S. History, *Chicago Tribune*, February 16, 1989.

Black Culture Influence Woven Into Social Fabric, *The Oregonian*, February 10, 1989.

### Education

America's Image as Meritocracy Frays at the Edges, *Los Angeles Times*, April 10, 1992.

Color is no Test for Teachers, *The San Diego Union-Tribune*, March 8, 1989.

Enough Talk About a Minority-Teacher Shortage, *Los Angeles Herald Examiner*, March 7, 1989.

Focus on Minority Teachers is 'Misguided,' *Education Week*, February 15, 1989.

Sending Students the Wrong Message, *Peninsula Times Tribune* (Palo Alto), February 14, 1989.

Presenting the Good News about Black College Students, *Los Angeles Times*, January 3, 1988.

### Book Reviews

Interviews With Legal Eagles Never Get Off The Ground, *Plain Dealer* (Cleveland), June 29, 1997.

Unsatisfying Package of Memoir, Criticism, *Plain Dealer* (Cleveland), November 3, 1996.

Memoir of Black Life Invitingly Vulnerable, *Plain Dealer* (Cleveland), July 28, 1996.

Player Reflects on Growing up With Baseball, *Plain Dealer* (Cleveland), July 23, 1996.

Anthology Tells Other Side of Urban Life, *Plain Dealer* (Cleveland), June 16, 1996.

## **Online**

*New York Times*' "Room for Debate: A Running Commentary on the News"

The Perils and Promise of Openness, January 20, 2012.

A Shortage of Eligible Black Men, December 20, 2011.

Marriage: The Next Chapter: How Moral Norms Evolve, July 3, 2011.

A Cruel Paradox, June 21, 2011.

The Childlessness Factor, December 19, 2010.

The Soul Mate Factor, June 4, 2010.

The Marriage Decline, January 24, 2010.

Sidestepping Land Mines, July 23, 2009.

Complicated Dynamics, July 22, 2009.

*Newsweek/The Daily Beast*

Trayvon Martin Was the Victim of a Stereotype That Has Its Roots in Crime Statistics, March 27, 2012.

Charles Murray's 'Coming Apart' and the Culture Myth, February 8, 2012.

*The Atlantic*

The Racial Gap in Marriage: How the Institution is Tied to Inequality, October 27, 2011.

*Fox News*

Is Marriage Doomed?, February 18, 2012.

The Freedom to Marry and Its Costs, December 16, 2011.

**SELECTED PRESENTATIONS** (partial listing)

**Faculty Workshops**

Race and Marriage

Stanford Law School, 2005

University of Minnesota School of Law, 2004

Intimacy and Antidiscrimination, Status and Subordination Seminar, Stanford Law School,  
April 2003

Colorblindness and Equal Protection Law

University of Arizona Law School, Faculty Workshop, April 2008

Emory Law School, Faculty Workshop, February 2008

University of Southern California Law School, November 2007

University of Chicago Law School, February 2007

Harvard Law School, February 2007

Washington and Lee University School of Law, February 2007

University of Michigan Law School, November 2006

Racial Neutrality in Equal Protection, University of California, Davis School of Law, Feb 18,  
2002

Educational Opportunity

Research Institute for Comparative Studies in Race and Ethnicity, December 4, 2001

Recalibrating Merit in College Admissions, Stanford Graduate School of Education, December  
2000

Distributive Justice Colloquium, Stanford Law School, April 2000

Center for Comparative Studies in Race and Ethnicity, Stanford University, February 2000

Racial Profiling

Harvard Law School, Feb. 28, 2003

University of Texas Law School, Feb. 7, 2003

Case Western Reserve University School of Law, Oct. 14, 2002

Loyola Law School, Los Angeles, CA. Oct. 7, 2002

University of California, Davis Sociology Department, Feb 18, 2002

Social Psychology Colloquium, Psychology Department, Stanford University, Jan. 28, 2002

### Race-Based Suspect Descriptions

Arizona State University School of Law, November 28, 2001

Social Justice Workshop, Boalt Hall, University of California, Berkeley, May 2001

UCLA School of Law, March 2001

University of Virginia School of Law, February 2001

Center for Comparative Studies in Race and Ethnicity, Stanford University, June 1999

### **Conference Presentations**

Evaluating Claims of “The End of Men,” Boston University School of Law, October 12-13, 2012

Indiana University Maurer School of Law, Indiana Journal of Law and Social Equality, Fall 2012

Conference of Asian Pacific American Law Faculty (CAPALF) and Northeast People of Color Conference (NEPOC), Hofstra Law School, November 2011

Association of American Law Schools, Mid-Year Workshop: Race and the Law, 2010

Constitutional Law Stories Conference, Harvard Law School, April 2006

Racial Profiling Conference (sponsored by National Science Foundation), Northwestern University, April 2006

Interpreting Hit Rates Findings in Studies of Racial Profiling, Western Regional Racially Biased Policing Summit, Sacramento, California, Feb. 17, 2004

Roundtable Discussion: Definitions of Racial Profiling, Western Regional Racially Biased Policing Summit, Sacramento, California, Feb. 16, 2004

Realizing Brown: Alternative Conceptions of Equal Educational Opportunity, University of Florida, Apr. 1, 2004

The Role of Race in Adoption Policy, University of Chicago Legal Forum, University of Chicago Law School, Oct. 25, 2003

Racial Profiling and Antiterrorism Efforts, University of Utah, Sept. 5, 2003

The Study of Hate Crimes Enforcement (commentator on Policing Hatred by Jeannine Bell), Annual Law & Society Association Conference, June 5, 2003

The Legitimacy of Affirmative Action, University of Virginia Law School, Mar. 14, 2003

Children, Education, and Families, Cornell Law School conference April 5, 2002

Conceptions of Colorblindness in Antidiscrimination Law, Washington University School of Law, St. Louis, Missouri, March 11, 2002

Presentation, Race-based Suspect Selection and Equal Protection Doctrine, Western Law Teachers of Color Conference, March 2001

A “New Look” at Race: How Social Representations of Race Affect Visual Perception and Attention Conference, Stanford University, November 17, 2001

Panel Presentation, Race and Policing, Law and Society Conference, May 2000, Miami, Florida.

Colloquium Participant, Harvard Law School European Law Research Center, Anti-Formalism about Law and the Legal Profession: Comparative and Historical Perspectives, April 1999

Commentator, Established and Emerging Rights: Exploring Juvenile Rights under the Constitution, University of Pennsylvania Journal of Constitutional Law, February 1999

Panel Presentation, Colorblindness and the Law, NAACP Annual Conference, Continuing Legal Education Program, Atlanta, Georgia, June 1998

## **Lectures**

NYU Law Milbank Tweed Forum “Dispelling the Myth of a Post-Racial America”, New York University Law School, November 16, 2011

USC Center for Law, History and Culture, University of Southern California Law School, October 2011

Annual Conference, National Black Law Students Association, Orange County, CA 2007

Martin Luther King Day Speaker, Vanderbilt Law School, January 2006

Stanford Law Review Lecture Series, Stanford Law School, December 3, 2003

Discrimination vs. Structural Inequality in Empirical Studies of Racial Profiling, School of Justice Studies, Arizona State University, November 28, 2001

Distinguished Speaker Lecture, Discrimination and Racial Inequality in Equal Protection Doctrine, St. Thomas University School of Law, September 2001

Jing Lyman Lecture, The Racial Dynamics of Adoption, Stanford University, February 1999

**SELECTED INTERVIEWS AND MEDIA APPEARANCES** (partial listing)**Print**

Appellate court asks California Supreme Court to weigh in on gay-marriage ban, *Washington Post*, January 4, 2011

What next for Tiger Woods? Celebrity breakups often extra bumpy, *Orlando Sentinel*, December 19, 2009

Tiger Woods and wife: If they split, how to divide?, *Los Angeles Times*, December 18, 2009

At heart of Prop. 8 trial, a clash over motives, *The Sacramento Bee*, January 19, 2010

Brown v. Board of Education: 50 Years Later, 38 *Stanford Lawyer* 20-25 (2004) (with Pamela S. Karlan, William S. Koski, and Jack Greenberg)

**Television**

*Dr. Drew Show*, CNN, Interviewer: Drew Pinsky, May 3, 2012

*The Gayle King Show*, Interviewer: Gayle King, Fall 2011

Black Men Dating Outside Race: Is This Unusual? *Anderson*, Interviewer: Anderson Cooper, November 4, 2011

Is Marriage for White People?, ABC News/*Nightline*, Interviewer: Linsey Davis, October 19, 2011

Author of controversial new book 'Is Marriage for White People?' talks marriage in the African-American community, CNN, Interviewer: Carol Costello, September 27, 2011

Is Marriage for White People?, NBC Southern California, Interviewer: Fred Roggin, September 23, 2011

Stanford Professor's Book Stirs Discussion About Marriage & Race, CBS San Francisco, Interviewer: Robert Lyles, September 14, 2011

Is Marriage for White People?, Fox News, September 9, 2011

Not Enough Black Men for Marriage?, CNN *Newsroom*, Interviewer: TJ Holmes, September 3, 2011

Is Marriage for White People?, CNN *Newsroom*, Interviewer: TJ Holmes, September 2, 2011

Black Women Least Likely to Marry, but Overall Interracial Marriage More Common Than Ever, ABC News, Interviewers: Linsey Davis and Eric Noll, June 4, 2010

Blacks and conservatism, C-SPAN, February 24, 2004 (with G. Marcus Cole, Robert Smith, and Bob Parks)

## Radio

CBC Canada, *Metro Morning*, February 10, 2012

Is Marriage for White People?, *Radio Times with Marty Moss-Coane*, WHYR Radio, Interviewer: Marty Moss-Coane, November 1, 2011

Is Marriage for White People?, KQED, *Forum*, Interviewer: Michael Krasny, August 31, 2011

Marriage: Denied and Delayed, KQED *Forum*, Interviewer: Michael Krasny, July 19, 2011 (with Leora Lawton and Judith Stacey)

Looking at African-American Marriage, *On Point*, Interviewer: Tom Ashbrook, December 7, 2010

Will Gay Marriage Ruling Be A Ripple Or Tsunami?, National Public Radio, Interviewer: Tovia Smith, August 5, 2010

The Prop 8 Arguments Are Over, Now It's Up to the Judge, KCRW "*Which Way, L.A.?*", June 16, 2010 (with John Eastman, Patrick Egan, and Joshua Ferris)