

# A Brilliant Choice

Meet L. SONG RICHARDSON, a highly respected national expert on implicit bias and the interim dean at the UC Irvine School of Law.

Beloved by students and venerated by colleagues, she's eager to build on her predecessor's legacy at a critical juncture for the school.

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**On family road trips in the early 1970s,** L. Song Richardson's parents took along an empty coffee can to use instead of having to stop at restrooms. It wasn't until she was in college sharing childhood memories with friends that she realized how unusual this was and thought to talk about it with her father, an African-American and a lieutenant colonel in the Army, and her mother, a Korean immigrant.

She learned that her parents had been reluctant to pull into gas stations and other places where they didn't know how they'd be treated. It was one of the many ways they attempted to shelter their children from the challenges they faced as an interracial couple.

Flash-forward to the present, and Richardson is still asking questions about race and society. A graduate of Harvard University and Yale Law School and a faculty member at the UC Irvine School of Law since 2014, she is one of the nation's leading experts on the complex and politically charged issue of racial bias and the criminal justice system.

This spring, she was appointed interim dean of the Irvine law school. She assumes the post at a critical juncture as the institution adjusts to the departure of founding dean Erwin Chemerinsky, the eminent constitutional scholar whose voice, vision, and rep-

utation shaped the school. Who Richardson is and how she approaches her academic work offer clues about how she will lead the law school.

She has already earned Chemerinsky's imprimatur: "I think it was a brilliant choice to ask her to be interim dean. She is who I picked to be my senior associate dean last year. She's a terrific teacher and scholar. She's highly respected by everybody on the faculty and in the law school community. She has great judgment. I think she'll just do a superb job."

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**IT'S A MILD, MID-JUNE MORNING** during commencement season, and Richardson, who hasn't moved into her new office yet, greets a visitor in a conference room at the law school. She's nothing like the stereotype of a stern, authoritarian law school dean. She wears her dark, curly hair loose, favors vibrant jewel tones and sparkly silver jewelry, and she's famous for her laugh. "She's laughing all the time, and you can hear her laughter down the hall. 'There's Song,'" a former student says.

Richardson has a generous warmth and openness, but she's no pushover. She was a public defender and defense attorney before becoming a law professor, and she established a reputation as a tireless worker, a skillful communicator, and a formidable litigator who is always impeccably prepared for trial.

"She is not forbidding, but you underestimate her at your own peril because she is a powerhouse," says Jeffery Robinson, deputy legal director of the American Civil Liberties Union and director of the Trone Center for Justice and Equality in New York.

Robinson, who worked as a co-counsel with Richardson, was impressed by her ability to communicate with everyone. "She's able to do that with the most elite, wealthy, and privileged people in America, and she can do it in an inner-city, urban, heavily populated area with nothing but people of color who are economically and socially disadvantaged.

"She can do that because she is one of the most authentic people I have ever met. When you're authentic, you can talk to anybody. You're not worried about an impression; you're just being who you are."

She has an expressive, musical voice, and it unspools in elaborate, loop-de-loop sentences when she describes how her upbringing led her to her current work. A "military brat," she and her two younger brothers grew up around the world, living outside Boston for much of the time.

She studied classical piano as a child and teen, regularly practicing four to six hours on school days and up to 10 hours on weekends. Accepted to

the Juilliard School, Harvard, and other colleges as a high school senior, she picked Harvard, and as a freshman won Harvard-Radcliffe Orchestra's Concerto Competition. "After that, I decided it can't get better than this, so I stopped," she says. She graduated *cum laude* in psychology before entering law school.

"Things happened in a particular way. I had a great guidance counselor in college who pushed me in certain directions instead of holding me back. I had my parents and other individuals throughout my life who said, 'You can do it, you can play the piano, you're smart. So, things didn't go so well this time, but they'll be better next time.'

"I was lucky. Part of my passion for doing public service is it shouldn't be about luck. Everyone should have the identical opportunities to make it in this world. That is what informs my scholarship, my teaching, the work that I did before I began teaching—all of it is related to that. It shouldn't be about luck, everyone should have those same opportunities."

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**A GIFTED STORYTELLER, RICHARDSON** often mines her own experiences to convey abstract concepts. She draws on an embarrassing mistake she made at a Chinese restaurant near UC Irvine last year to illustrate an idea known as "implicit bias," which is central to her scholarship.

Sometimes called unconscious bias, it's the snap judgments people make about others based on race, gender, or language. It affects decisions people make in daily life and can lead them to act in biased ways, even though they are not consciously prejudiced or racist.

"I was done with my meal, and I called over to an Asian gentleman in the back, and waved him over and said, 'Will you wrap this up for me?' And what he said to me was, 'I'm not a waiter; I was sitting at the table right next to yours.'

"And I realized in that moment that I, without thinking, acting quickly, not questioning my objectivity, had made assumptions based on my unconscious associations that because he was Asian, he was a waiter in a Chinese restaurant. I was appalled at what I had done. It was a true learning moment for me because, consciously, I am the most egalitarian person I have ever met."

In her academic writing, Richardson examines how implicit bias affects police officers, among others. The widely publicized instances of police shooting black men—including the deaths of Michael Brown in Ferguson, Mo., and Philando Castile near

St. Paul, Minn.—make her work especially timely.

The issue was pushed into the headlines during the presidential debates last year when Hillary Clinton asserted that "implicit bias is a problem for everyone, not just the police." Two days later, Donald Trump charged that Clinton was "essentially suggesting that everyone, including our police, are basically racist and prejudiced."

Richardson points out that social scientists like the Nobel Prize-winning psychologist Daniel Kahneman, author of "Thinking, Fast and Slow," have studied implicit bias for decades. "I hope it's not something that people think, 'Oh, we'll pay attention to this today, we'll pay attention to something else tomorrow; I think it's just how we think as human beings. The challenge is to determine how can we put structures in place to safeguard against it."

She's ideally positioned to do that. In addition to writing and teaching classes, she crisscrosses the country working with police officers, judges, prosecutors, and public defenders to raise awareness of implicit bias and how people can guard against it.

"What excites me about my scholarship is that it's not just thinking about these issues at a high level, ivory tower, theoretical way, but it's also given me the opportunity to do things within the community that can make a real difference."

In Seattle, for example, she helped create a set of jury instructions and a video on implicit bias that are now being used in the federal district court. She recently helped produce and appears in a video the American Bar Association (ABA) has posted on its website. Called "Hidden Justice: Toward a Better Defense," it encourages public defenders and defense attorneys to slow down and consider the assumptions they make about clients. In **CONTINUED ON PAGE 150**

**LEFT**  
Richardson  
and her  
brothers with  
their parents,  
Nehemiah and  
Song, in 1970

**BELOW**  
A teenage  
Richardson  
and brothers  
Stephen, left,  
and Nehemiah Jr.





Los Angeles, she's on a team working with the police commission to set guidelines for the release of body-camera footage filmed during officer-involved shootings and other incidents.

"How I view myself and my scholarship is helping institutions and individuals learn about the ways that bias may manifest in systems and then figure out how to address it. So I am hopeful, given the institutions and individuals with whom I've worked, that with commitment and time and openness to dialogue, we'll be able to make some progress toward a more equitable world. That's what motivates."

#### HER GOALS IN HER NEW ROLE

are simple: "In my position as interim dean, I want to build on our strengths. I want to continue with bringing incredible students, incredible faculty, incredible staff, and just continue to build on Erwin's legacy."

It's difficult to overstate Chemerinsky's impact on UC Irvine Law School. He set out to create a top-tier institution when he was hired in 2007, despite facing an economic downturn and naysayers who doubted the need for another law school. He brought it to national prominence in record time.

The first class of students, who started in August 2009 and graduated in 2012, passed the California bar exam at a rate of 90 percent, second only to Stanford among the state's law schools. And in 2015, the first year it was eligible for *U.S. News & World Report's* annual ranking, it debuted at No. 30 among the 200 ABA-accredited law schools in the country—the highest debut by any law school in the ranking's history.

The dean also served as the public voice of the law school. Chemerinsky, who has argued cases before the

Supreme Court, is known to anyone who has listened to National Public Radio or picked up *The Orange County Register* or *Los Angeles Times* for his insightful commentaries on the high court's decisions.

"He has established a culture here that will last beyond him," Richardson says. "One example of that is his own personal commitment to public service, and that has been something that is instilled in our students and our faculty. It's such a part of what we are as UCI Law now."

Zackory Burns, class of 2018, is one of many students who take the charge seriously. He's a student co-leader of the law school's Transgender Legal Assistance Clinic. Under the supervision of volunteer attorneys, law students help clients of the LGBT Center Orange County in Santa Ana with applications for name and identity marker changes on public records—completing nearly 200 in all.

"I think as lawyers we're morally obligated to give back because there are so many who are underserved," Burns says. "It's been remarkable to be part of UCI Law's way of doing things. I love it."

So it's no wonder that the mood on campus turned palpably gloomy on the day in mid-May when students learned Chemerinsky had accepted an offer to lead the UC Berkeley School of Law beginning July 1.

"I would honestly say that anxiety lasted for about two hours," says recent graduate Ariela Rutbeck-Goldman. "I felt like it was a group exhalation when we all read the email that (Richardson) had been appointed interim dean. We all felt a million times better. It turned around our group feeling. She is so beloved."

#### RICHARDSON SOMETIMES

wonders what her life would have been like if she had pursued music instead of law. She has a piano in her Irvine home and she likes to play it, just for herself.

"Now it's hard to find the time to play, and it's frustrating for me because I'm not where I used to be, and my mom's words ring in my ear. She used to say, 'Just play for an hour, a half-hour every day, just to keep it up.' I said no. She was

right, I should have. But that's OK."

Students marvel that she finds the time to do all she does. Rutbeck-Goldman, who worked as a research assistant and co-authored a paper with Richardson, says the professor is always available.

"When I send something to her, she's going to get back to me within 24 hours, at the absolute latest. Dean Chemerinsky was the same way. I don't know if her cellphone is an appendage to her or if she doesn't sleep. I don't think Song sleeps that much," she says, joking.

Burns has benefited from the professor's support, too: "It's not necessarily what she says, but what she does that constantly motivates me. ... It's also her ability to put you in a position that you may not feel 100 percent that you can do something, but she builds that confidence, she stands right next to you and says, 'You can do it, I believe in you.'"

Rutbeck-Goldman says Richardson is widely known as a professor who welcomes discussion, dissenting views, and challenges in the classroom.

"She is a unique combination of someone who is not afraid to stand up for her values and for what she believes in, but she does it in a way that's so inviting. It's not her being self-righteous. She is so genuinely warm, and I think that is a very rare combination of someone who is steadfast, someone who is passionate, and someone who doesn't exclude."

As her new title indicates, Richardson's appointment is temporary, although Chemerinsky, for one, hopes otherwise: "What I can say is I hope that she will be interested in being the permanent dean, and I think she'll be a terrific choice for the permanent dean." In any case, she will serve in the post while university provost Enrique Lavernia leads an extensive search for a new dean.

Richardson—the L. stands for Leah, her late father's nickname for her mother—says she intends to carry on with much of her workload while shouldering her new administrative duties.

"I think we make time to do the things that we think are important to us," she says. "It's important to me to keep UCI Law where it is, and to grow in every possible way." **OC**