

**Jenny Breen**

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**CURRENT POSITION**

Syracuse University College of Law 2019-present  
Associate Professor (appointment without tenure)  
Courses taught: Constitutional Law, Administrative Law, Labor Law, Emerging Issues in  
Labor and Employment Law, Property

**EDUCATION**

J.D., *summa cum laude* 2015  
Cornell Law School

Ph.D. in Political Science 2011  
University of Pennsylvania

M.A. in Political Science 2007  
University of Pennsylvania

B.A. in Political Science (minor: English), Highest Honors and Highest Distinction 2002  
University of North Carolina at Chapel Hill

**JUDICIAL CLERKSHIP**

Hon. Rosemary S. Pooler 2017-18  
United States Court of Appeals for the Second Circuit

**AWARDS AND HONORS**

Lucet Lex Mundum Award, Syracuse University College of Law (2024) (award given to a professor who has made a significant impact on LLM students during their studies)

Laura J. and L. Douglas Meredith Teaching Recognition Award for Early Performance, Syracuse University (2023) (university award recognizing excellence in teaching among untenured faculty)

CUSE Grant (with Gretchen Purser), Syracuse University (2022)

Ida Cornell Kerr and William Ogden Kerr Memorial Prize, Cornell Law School (2015) (awarded annually to a third-year student who demonstrates general academic excellence)

Marc E. and Lori A. Kasowitz Prize for Excellence in Legal Writing and Oral Advocacy, Cornell Law School (2013)

Andrew W. Mellon Fellowship in Humanistic Studies, University of Pennsylvania (2004)

Phi Beta Kappa, University of North Carolina at Chapel Hill (2002)

Order of the Golden Fleece, University of North Carolina at Chapel Hill (2002)

### **WORKS IN PROGRESS**

“The Constitutional Democracies of the Roberts Court”

“The Disparate Responses of Labor Unions to COVID Workplace Protections” (with Gretchen Purser)

Funded by a competitive \$5,000 seed grant from the CUSE grant program at Syracuse University

### **PUBLICATIONS**

“Democratic Erosion and the United States Supreme Court,” *Utah Law Review* (Spring 2024). Available [online](#).

“Caring Work, Women’s Work, Essential Work: Reconsidering Comparable Worth as an Approach to Pay Equity for Care Workers,” *Berkeley Journal of Employment and Labor Law*, 2022 (Vol. 43, Issue 2). Available [online](#).

“Labor, Law Enforcement, and ‘Normal Times’: The Origins of Immigration’s Home within the Department of Justice and the Evolution of Attorney General Control over Immigration Adjudications,” *University of Hawai’i Law Review*, Winter 2019. Available [online](#).

\*Reprinted in *Immigration Briefings* (August and September 2020).

\*Cited in *Edwards v. United States Attorney General*, 97 F.4th 725 (11th Cir. 2024) (Jordan, J., concurring).

“Left Alone and Left Behind: Policy Responses to the ‘Displaced Homemaker’ in the 1970s,” *Journal of Policy History*, Autumn 2017. Available [online](#).

“Mandating Discretion: Juvenile Sentencing Schemes after *Miller v. Alabama*” (with John R. Mills), *American Criminal Law Review*, March 2015. Available [online](#).

“Reinstatement of Removal: New Developments in a Growing Form of Removal” (with Stephen Yale-Loehr), *Bender’s Immigration Bulletin*, April 15, 2014. Available via Lexis.

### INVITED COMMENTARY

“Open for Business: The Supreme Court Curbs Federal Regulatory Power,” *New Labor Forum*, Spring 2023. Available [online](#).

“Delegitimizing the Administrative State,” *nonsite.org*, July 2, 2022. Available [online](#).

### BOOK REVIEWS

Review of *Banned: Immigration Enforcement in the Time of Trump*, by Shoba Sivraprasad Wadhia, in *International Migration Review*, June 2020.

Review of *Coming Apart: The State of White America, 1960-2010*, by Charles Murray, in *Journal of Children and Poverty*, 2012

*Working through the 1970s: Culture, Class, and Capital in the Era of Deindustrialization*, review essay, *New Political Science*, December 2010

Review of *Out of Reach: Place, Poverty, and the New American Welfare State*, by Scott W. Allard, in *The Journal of Politics*, April 2010

#### **CONFERENCE PAPERS, PRESENTATIONS, AND OTHER PARTICIPATION**

Presenter, “Democratic Erosion and the United States Supreme Court,” Fourteenth Annual Loyola Constitutional Law Colloquium, Chicago, IL (November 10-11, 2023)

Presenter, “Democracy and the Supreme Court,” Central New York Council for the Social Studies (professional development for New York State Social Studies Teachers), Syracuse, NY (October 24, 2023)

Speaker, “Democratic Erosion and the United States Supreme Court,” Syracuse University College of Law Faculty Colloquium (January 19, 2023)

Speaker, “Democratic Erosion and the United States Supreme Court,” William & Mary College of Law Faculty Colloquium (November 3, 2022)

Moderator, “Labor’s Revival: Unions and the Struggle for Racial and Economic Justice,” The Lender Center for Social Justice, Syracuse University (October 24, 2022)

Speaker, “The Supreme Court and the Shaping of American Society,” Strathmore Speaker Series (September 8, 2022 via Zoom)

“Caring Work, Women’s Work, Essential Work: Reconsidering Comparable Worth as an Approach to Pay Equity for Care Workers,” New Scholars Workshop: Environmental, Economic, and Racial Justice, Southeastern Association of Law Schools Annual Meeting (July 29, 2021)

Participant, New Scholars Workshop: Discussion Group: Your Next Article, Southeastern Association of Law Schools Annual Meeting (July 29, 2021)

Participant, 2021 AALS Workshop for New Law School Teachers (June 3-4, 2021 via Zoom)

“Caring Work, Women’s Work, Essential Work: Reconsidering Comparable Worth as an Approach to Pay Equity,” Seton Hall Law School Faculty Colloquium (April 7, 2021 via Zoom)

Moderator, Panel: Labor and Employment Law: Alt-Labor, Southeastern Association of Law Schools Annual Meeting (August 4, 2020 via Zoom)

Moderator, Panel: Property, Power, and (In)Equality in Context, Association for Law, Property, and Society Annual Meeting, Syracuse, NY (May 18, 2019)

“Going Rogue: Administrative Agencies, the Rule of Law, and ICE,” Association of American Law Schools Annual Meeting, New Voices in Immigration Law, New Orleans, LA (January 5, 2019)

Invited Speaker, 2018 Cooper-Walsh Colloquium, Remodeling Sanctuary: Urban Immigration in a New Era, Fordham University School of Law, New York, NY (November 9, 2018).

“Women’s Work: Labor, Identity, and the Campaign for Comparable Worth,” Annual Meeting of the Midwest Political Science Association, Chicago, IL (March 31-April 3, 2011).

Panel Co-Organizer, “Producing Americans: Work in American Political Thought,” Northeast Political Science Association, Boston, MA (November 11-13, 2010).

“The Capital ‘in His Person’: Human Capital Theory and the Mid-Century Redefinition of Labor,” Northeastern Political Science Association, Boston, MA (November 11- 13, 2010).

“Work and Democratic Citizenship: The Case of Women,” University of Connecticut Democracy and Democratization Conference, Storrs, CT (February 27, 2009).

“Returning Home: The Causes and Consequences of Ownership-Based Assistance in Post-Katrina New Orleans,” Southern Political Science Association Annual Meeting, New Orleans, LA (January 10, 2008).

“Rebuilding the Citizen: The Construction of Civic Membership in Post-Katrina New Orleans,” Research Design Presentation, Institute for Qualitative Research Methods, Tempe, AZ (January 2007).

Discussant, “Dependence, Autonomy, and the Welfare State,” Delivered by Marion Smiley, Philadelphia Political Theory Workshop, Philadelphia, PA (December 16, 2005).

#### **SELECTED MEDIA**

“Why the Supreme Court Matters to Working People,” *Class Matters Podcast* (guest panelist) (posted July 15, 2022). Available at <https://classmatterspodcast.org/podcast-episode/episode-6-why-the-supreme-court-matters-to-working-people/>

“Right-Wing Supreme Court Imperils Democratic Self Governance,” *Common Dreams* (July 1, 2022). Available at <https://www.commondreams.org/views/2022/07/01/right-wing-supreme-court-imperils-democratic-self-governance>

“The ‘Raw Judicial Power’ of Samuel Alito is an Attack on Dignity, Autonomy, and Progress,” *Common Dreams* (May 5, 2022). Available at <https://www.commondreams.org/views/2022/05/05/raw-judicial-power-samuel-alito-attack-dignity-autonomy-and-progress>

Quoted in Scott Willis, “CNY Voters to Weigh in on Voting, Election Proposals this November,” WAER (October 15, 2021). Available at <https://www.waer.org/2021-10-15/cny-voters-to-weigh-in-on-voting-election-proposals-this-november>

“The US Supreme Court’s Latest Anti-Labor Ruling Goes Far Beyond Farm Workers,” *Common Dreams* (June 24, 2021). Available at <https://www.commondreams.org/views/2021/06/24/us-supreme-courts-latest-anti-labor-ruling-goes-far-beyond-farm-workers>

Quoted in Kenny Stancil, “Right-Wing SCOTUS Majority Rules Union Organizing on Farms Violates Landowners’ Rights,” *Common Dreams* (June 23, 2021). Available at <https://www.commondreams.org/news/2021/06/23/right-wing-scotus-majority-rules-union-organizing-farms-violates-landowners-rights>

Quoted in Bob Egelko, “Will Trump’s Legal Challenge Succeed at the Supreme Court? Here’s What the Experts say,” *San Francisco Chronicle* (November 4, 2020). Available at <https://www.sfchronicle.com/politics/article/Trump-campaign-legal-challenges-to-voting-results-15702856.php>

Quoted in Scott Willis, “SU Law Professors Ponder What Legal Action Might Arise from Presidential Election Results,” WAER (November 4, 2020). Available at <https://www.waer.org/politics-government/2020-11-04/su-law-professors-ponder-what-legal-action-might-arise-from-presidential-election-results>

Interviewed, “SU Professor of Law on Line Between Free Speech and Sedition,” *Capital Tonight with Susan Arbetter* (December 15, 2020). Video available at <https://spectrumlocalnews.com/nys/central-ny/capital-tonight/2020/12/15/su-professor-of-law-on-line-between-free-speech-and-sedition>

#### **LAW SCHOOL AND UNIVERSITY SERVICE**

Member, Appointments and Leaves Committee (2023-2024)

Secretary, Syracuse University chapter of American Association of University Professors (AAUP) (2021-2022)

Mentor, Faculty Mentorship Program for 1L Students (2020-2022, Spring 2023)

Member, Judicial Clerkship Committee (2019-present)

Member, Academic Standards Committee (2019-present)

#### **OTHER TEACHING EXPERIENCE**

Faculty Fellow, Syracuse University College of Law (2018-19)

Lecturer, Ithaca College, Department of Politics, “Introduction to U.S. Politics” and “Politics of Work” (2010-12)

#### **PROFESSIONAL AND SERVICE AFFILIATIONS**

New York State Bar (Admitted 2016)

American Political Science Association