

# Erik Nielson, Ph.D.

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## EDUCATION

### **University of Sheffield**, Sheffield, UK

PhD in English, July 2011

Dissertation: *Under Surveillance: The Evolution of Black Arts in the United States*

### **University College London, University of London**, London, UK

MA in English, 2001

### **University of Virginia**, Charlottesville, VA

BA with Distinction, Echols Interdisciplinary Major, 1998

*Echols Scholar in the University Honors Program*

## TEACHING

### **Howard University**, Washington, DC

Graduate Faculty and Ph.D. Committee Chair, Department of Sociology and Criminology (December 2024 – present)

### **University of Richmond**, Richmond, VA

Professor and Chair, Department of Liberal Arts, (Asst. Chair, Aug. 2011 – 2020; Chair, Aug. 2020 – present)

Courses taught:

- The Voice of Hip Hop – Graduate/undergraduate seminar (taught with Shaquan Lewis, aka Mad Skillz)
- African American Literature – Graduate/undergraduate seminar
- The History and Poetics of Rap Music – Graduate/undergraduate seminar
- Rap Music – First year seminar (taught with Dr. Andrea Simpson)
- Watching *The Wire* – Graduate/undergraduate seminar
- Hip Hop, Politics, and Obama– Graduate seminar
- Policing Black Art – Graduate/undergraduate seminar
- Rap on Trial – Coordinated independent study (graduate/undergraduate)
- The Global Short Story – Graduate/undergraduate seminar
- Approaches to Literature – Graduate seminar
- Introduction to Literature – Undergraduate seminar
- Advanced Academic Writing - Undergraduate seminar

*Responsibilities as Chair:* Oversee the curriculum for the department of Liberal Arts (undergraduate and graduate) within the School of Professional and Continuing Studies (SPCS); supervise and evaluate all Liberal Arts faculty; recruit and hire new part-time faculty; manage the schedule of courses; work closely with the Senior Associate Dean to ensure that courses are designed to achieve appropriate learning outcomes.

### **Northern Virginia Community College**, Annandale, VA

Assistant Professor, Aug. 2003 - July 2011

Assistant Dean of English, Jan. 2011 - July 2011

Courses taught:

- College Composition I and II
- Rap Music
- Survey of African American Literature
- Survey of Shakespeare
- Latin American Literature in Translation

*Distinctions:* Received a competitive grant from the Commonwealth of Virginia to develop ENG 295, Latin American Literature in Translation; received two grants from the Virginia Community College System (VCCS) to train faculty in

the use of Internet-based teaching technologies; selected as Faculty Mentor for the VCCS Diversity Initiative Program; co-founded *Calliope*, the award-winning student journal of art and literature.

*Responsibilities as Assistant Dean:* Coordinated the schedule for the English department, which offered more than 200 sections per semester; adjudicated student complaints and grade appeals; worked closely with the dean of the division and campus provost to improve scheduling efficiency and diversify course offerings; oversaw various aspects of curriculum development.

## SCHOLARSHIP

### Books:

*Rap on Trial: Race, Lyrics, and Guilt in America* (co-authored with Andrea L. Dennis, University of Georgia)  
The New Press (November 2019)

*The Hip Hop & Obama Reader* (co-edited with Travis Gosa, Cornell University)  
Oxford University Press (October 2015)

### Film:

*As We Speak: Rap Lyrics on Trial.* (Consulting Producer). Documentary Film. J.M. Harper, director. Sundance Film Festival premiere (January 2024)

### Articles/chapters:

"Attorney Arguments in Rap-on-Trial Cases." In progress.

"Rap on Trial: *Hart v. Texas* and the Use of Rap Lyrics in Criminal Prosecutions." State Bar of Texas Professional Development Program: "Bill of Rights: Litigating the Constitution 2024" (2024)(co-authored with Chad Baruch, Esq.)

"Amicus Brief: *Taylor Bell v. Itawamba County School Board.*" In *That's the Joint! The Hip Hop Studies Reader*. Eds. Murray Forman, Mark Anthony Neal, and Regina Bradley. New York: Routledge, 2024. 529-542 (co-authored with Charis Kubrin, Travis L. Gosa, and Michael Render, AKA "Killer Mike"). Originally published in 2015.

"Expert or Advocate? The role(s) of the Expert Witness When Rap is on Trial." *Popular Music* 4.1 (2022): 446-462.

"'My President is Black, My Lambo's Blue': The Obamafication of Rap?" *Journal of Popular Music Studies* 31.2 (2019): 37-50. (The journal reprinted this article 10 years after it was first published and invited another scholar, Michael Berry, to write an article-length response to it, titled "Nielson Remixed: The Trumpification of Rap.")

"White Surveillance of the Black Arts." *African American Review* 47.1 (2014): 161-177.

"Rap on Trial." *Race and Justice* 4.3 (2014): 185-211 (co-authored with Charis Kubrin, UC Irvine).

"A 'High Tension' in Langston Hughes's Musical Verse." *MELUS* 37.4 (2012): 165-185.

"Making Room for 'Dear Mama' in Rap Lyrics." In *Mothering and Hip Hop Culture*. Ed. J. Maki Motapanyane. Toronto: Demeter Press, 2012. 40-54.

"'Here Come the Cops': Policing the Resistance in Rap Music." *International Journal of Cultural Studies* 15.4 (2012): 349-363.

"'Go in de Wilderness': Escaping the 'Eyes of Others' in the Slave Songs." *Western Journal of Black Studies* 35.2 (2011): 106-117.

"'Can't C Me': Surveillance and Rap Music." *Journal of Black Studies* 40.6 (2010): 1254-1274.

"'We Are Gone': 'Black Steel' and the Technologies of Presence and Absence." *Popular Communication* 8.2 (2010): 120-131.

"'My President is Black, My Lambo's Blue': The Obamafication of Rap?" *Journal of Popular Music Studies* 21.4 (2009): 344-363.

### Book review:

Adam Bradley and Andrew Du Bois, eds. *The Anthology of Rap*. (New Haven: Yale UP, 2009). *African American Review* 44.4 (2012): 719-721.

### **Selected features and op-eds:**

- "Protect Rap Lyrics, Other Creative Expression From Prosecution." (Written with Maryland Delegate Marlon Amprey.) *The Baltimore Banner*. February 2024.
- "Prosecutors are Increasingly – and Misleadingly – Using Rap Lyrics as Evidence in Court." Op-ed. *The Conversation*. March 2020.
- "If We Silence 'Hate Speech' Will We Silence Resistance?" Op-ed. *New York Times*, August 2018.
- "'Rap on Trial': Why Rap Lyrics Should Be Off-Limits." *Rolling Stone*, May 2017.
- "How States Can Bring African-Americans into the Marijuana Industry." (Written with Michael Render, aka Killer Mike.) *Rolling Stone*, December 2016
- "Free speech—unless it's rap?" (Written with Michael Render, aka Killer Mike.) CNN, February 2016.
- "Rubio, rap, and Republicans' well-deserved electoral backlash." (Written with Travis L. Gosa). *USA Today*, February 2016.
- "Obama and Hip-Hop: A Breakup Song." Op-ed. (Written with Travis L. Gosa). *The Washington Post*, September 2015.
- "Rap Lyrics are Fiction—But Prosecutors Are Treating Them Like Admissions of Guilt." (Written with Michael Render, aka Killer Mike). *Vox.com*, March 2015.
- "The Threat of Rap Music." Op-ed. *The Washington Post*, December 2014.
- "Rap's Poetic (In)Justice." Op-ed. (Written with Michael Render, aka Killer Mike). *USA Today*, December 2014.
- "Will High Court Challenge Prosecution of Rap?" Op-ed. (Written with Charis E. Kubrin). *CNN*, June 2013.
- "Rap Lyrics or True Threats? It's Time For the High Court to Decide." Op-ed. (Written with Clay Calvert and Charis E. Kubrin). *Forbes*, May 2014.
- "Prosecuting Rap." Op-ed. (Written with Charis E. Kubrin). *The Los Angeles Times*, April 2014.
- "Where Did All the Female Rappers Go?" *National Public Radio* (Code Switch), March 2014.
- "Rap Lyrics on Trial." Op-ed. (Written with Charis E. Kubrin). *New York Times*, January 2014.
- "Did the Decline of Sampling Kill Politics in Hip Hop?" *The Atlantic*, September 2013.
- "'It Could Have Been Me': The 1983 Murder of an NYC Graffiti Artist." *NPR*, September 2013.
- "Arab Rappers Are Landing in Jail for Lyrics—Kind of Like American Rappers." *The Atlantic*, July 2013.
- "How Hip-Hop Fell Out of Love with Obama." *The Guardian* (cover feature), August 2012.
- "Jim Crow's Second Wind." *Salon*, August 2012.

### **Miscellaneous:**

Chair of the Scholars and Legal Defense Advisory Board for Free Our Art, a nonprofit organization working to protect art from criminalization.

Editorial Board member: *Global Hip Hop Studies Journal*

Advisory member of the "Sound Board" of Notes for Notes, a nonprofit organization that offers free instruction in music and production to youth across the U.S.

Outside consultant for Meta (Instagram) and Google (YouTube)

External reviewer for Ph.D. thesis – University of Nottingham (UK)(2022-2023)

Advisory Board member: *The St. James Encyclopedia of Hip Hop Culture*. St. James Press (March 2018)

### **Selected conferences/invited talks:**

- "Rap on Trial." Guest speaker. (Moderated by Professor Dorothy Roberts). University of Pennsylvania Carey Law School. Philadelphia. PA. March 2025.
- "Rap Expert Training Program." Event organizer and expert witness trainer (along with Professor Lucius Outlaw III, Howard University School of Law). Williams & Connolly, LLP. Washington, DC. March 2025.
- "The Future of Free Expression" (with Killer Mike, Mary Anne Franks, Mike Curato, and Emerson Sykes). Moderator and event organizer. University of Richmond. Richmond, VA. September 2024.

"Legislative Updates From the Recording Industry: AI and Rap on Trial." Panelist. Caucus Weekend – NY State Legislature. Albany, NY. February 2024.

"Art Not Evidence." Panelist. UK Parliamentary Launch Event. Parliamentary Building. London, UK. January 2024.

"Rhyme and Punishment: The Use of Rap Lyrics as Evidence in Criminal Trials." The Fordham Intellectual Property, Media & Entertainment Law Journal Symposium. Panelist. Fordham School of Law. New York, NY. October 2023.

"Rap on Trial: Restoring Artistic Protections for the Black Community." Panelist. Rep. Jamaal Bowman/Congressional Black Caucus. Washington, DC. September 2023.

"Rap on Trial Symposium." Keynote speaker. Dillard University. New Orleans, LA. November 2022.

"Narrating Rap, Narrating Law." Featured speaker. University of Virginia. Charlottesville, VA. October 2022.

"Beats, Rhymes, and Life." Empowering Albright Voices Symposium. Invited lecture. Albright College. Reading, PA. October 2021.

"Rap, Law, and Critical Race Theory." Arts + Justice Research Workshop. Panel Discussion. Stanford University. Stanford, CA. October 2021.

"Southern Hip-Hop and the Academy." The Dirty South Virtual Speaker Series. Panel discussion. Virginia Museum of Fine Arts. Richmond, VA. June 2021.

"How the US and UK state criminalise Rap and how to combat it." Black Lives Matter Event Series – Part 1. Garden Court Chambers (UK). January 2021.

"Prosecuting Rap Music." Invited lecture. Emerson College. Boston, MA. January 2021.

"Richmond and Race: A Conversation." Panel discussion filmed and broadcast on WRIC (ABC). Virginia Union University. September 2020.

"Rap on Trial." Continuing Legal Education (CLE) class for the Dallas, TX Bar Association. August 2020.

"Prosecuting Rap: Expert Network." Invited lecture for "Prosecuting Rap: Criminal Justice and UK Black Youth Expressive Culture." University of Manchester. Manchester, UK (virtual). August 2020.

"The Crime of Rhyme: Hip Hop History, Systemic Racism, and a Discussion of *Rap on Trial*." Virtual program. Brooklyn Historical Society. June 2020.

"Bad Rap: Protecting Identity and Expression in the Era of Gang Policing." Virtual program. The Justice Collaborative. February 2020.

"Rap on Trial." Foundation for Individual Rights in Education (FIRE). "So to Speak" podcast. Washington, DC. February 2020.

"Prosecuting Rap." Invited lecture for "Hip Hop, Sex, Gender, and Ethical Behavior" class. Dillard University. New Orleans, LA. October 2018. (Class taught by University President Walter Kimbrough)

"Sampling Black History" (with Hank Shocklee, Donnie Lewis, and Chris Cotropia). The Voice of Hip Hop in America – Public Lecture. University of Richmond. Richmond, VA. February 2018.

"Rap Music and Storytelling." Invited lecture for "Hip-Hop in and as Media" class. Northeastern University. Boston, MA. September 2016.

"Prosecuting Rap Music in the U.S." International Hip Hop Studies Conference. University of Cambridge. Cambridge, UK. June 2016.

"Hip Hop and Politics." Hip Hop: Politics, Art, and Parody in Obamatime (panel discussion). University of Richmond. Richmond, VA. February 2016.

"Rap on Trial." Invited lecture for "Hip Hop, Sex, Gender, and Ethical Behavior" class. Dillard University. New Orleans, LA. February 2016. (Class taught by University President Walter Kimbrough)

"Hip Hop and Obama." Keynote address. Black History Month conference. Old Dominion University. Norfolk, VA. February 2016.

“Rap and Repression.” Freedom of Expression in a Changing World conference. USC Gould School of Law. Los Angeles, CA. January 2016.

“Prosecuting Rap in the US and the UK.” Keynote address. Prosecuting Rap Conference. University of Manchester. Manchester, UK. October 2015.

“‘For Every Rhyme I Write it’s 25 to Life’: Rap on Trial in the Age of Social Media” (with Michael Render, aka Killer Mike). Man Up! Inc., USA. Brooklyn, NY. June 2015.

“Rap on Trial” (with Alan Jackson). Appellate Judicial Attorneys Institute. San Francisco, CA. April 2015.

“Rap Lyrics on Trial” (with Charis Kubrin). Pittsburgh Humanities Festival. Pittsburgh, PA. March 2015.

“Drawing the Line: Elonis, Rap Lyrics, and Free Speech.” NYU School of Law. New York, New York. March 2015.

“Elonis v. U.S.–Free Speech and the Ongoing Prosecution of Rap Music.” Threats, Free Speech, and the Law in the Internet Age. Brandeis University. Waltham, MA. December 2014.

“The Intersection of True Threats, Rap Music and Muddled Meanings” (with Clay Calvert, University of Florida). University of Richmond School of Law. Richmond, VA. November 2014.

“Prosecuting Rap” (plenary talk). VA Juvenile Justice Institute. Newport News, VA. November 2014.

“Prosecuting Rap.” American Sociological Society (ASA) Annual Conference. San Francisco, CA. August 2014.

“Rap on Trial.” Virginia DUI Drug Treatment Court Training: Advancing Recovery & Solutions. Roanoke, VA. August 2014.

“Rap on Trial.” International Association for the Study of Popular Music (IASPM) Annual Conference. University of North Carolina. Chapel Hill, NC. March 2014.

“What Happened to Hip Hop and Obama?” British Association of American Studies (BAAS) Annual Conference. University of Exeter. Exeter, England. April 2013.

“Hip Hop, Surveillance, and Criminalization.” Cornell University. Invited lecture for “Hip Hop: Beats, Rhythm, and Life” class. Ithaca, NY. October 2012.

“The Mother Figure and Rap’s Hidden Feminist Discourse.” National Women’s Studies Association (NWSA) Annual Conference. Atlanta, GA. November 2011.

#### **Recent interviews:**

*Good Morning America*

*Nightline*

*The New York Times*

*The Washington Post*

*Tamron Hall Show*

*USA Today*

*PBS NewsHour*

*Los Angeles Times*

*Rolling Stone*

*CBS News*

*CBS This Morning*

*ABC News/Hulu*

### **LEGAL EXPERIENCE**

- Lead author of *amicus* briefs on the history/conventions of rap music for the U.S. Supreme Court in the following cases:
  - *Knox v. Pennsylvania* (2019)
  - *Bell v. Itawamba County School Board* (2015)
  - *Elonis v. U.S.* (2014)
- Served, or currently serving, as an expert witness/consultant in over 100 cases involving rap as evidence
- Testified before the judiciary committees of the Maryland House of Delegates and the Maryland Senate in favor of the PACE Act, which limits the use of creative expression as evidence in criminal trials
- Testified before the judiciary committee of the Georgia House of Representatives in support of House Bill 237, which limits the use of creative expression as evidence in criminal trials

- Provided testimony in the following cases (in court unless otherwise noted):
  - The People of the State of California v. Alex Joseph Medina (Ventura County, California)
  - State of Georgia v. Gary Bradford, et al. (Fulton County, Georgia)
  - United States v. Samuel L. Bradbury (United States District Court for the Northern District of Indiana)
  - The People of the State of California v. Anthony R. Murillo (Santa Barbara County, California)
  - State of Oklahoma v. Ronnie Eugene Fuston (Oklahoma County, Oklahoma)
  - State of Tennessee v. Christopher Bassett, Jr. (Knox County, Tennessee)
  - United States v. Gerald Johnson, et al. (United States District Court for the District of Maryland)
  - United States v. DeAndre Smith (United States District Court for the District of Southern Florida)
  - The State of Arizona v. Victor Hernandez (Maricopa County, Arizona)
  - The People of the State of California v. Darrell Caldwell, et al. (Los Angeles County, California)
  - United States v. Desmond Washington (United States District Court for the District of Oregon)
  - United States v. Samuel Rakestraw and Michael Williams (United States District Court for the District of Arizona)
  - State of Georgia v. Jeffery Williams, et al. (Fulton County, Georgia)
  - The People of the State of California v. Brian Ruiz (Santa Barbara County, California)
  - United States v. Joshua Gilbert (United States District Court for the District of Connecticut)
  - William J. Shelton v. Cuyahoga Metropolitan Housing Authority, et al. Deposition. (United States District Court for the Northern District of Ohio)
  - State of Texas v. Gregory Dewayne Newson (Gregg County, Texas)
- Routinely lecture at regional/national conferences to scholars, attorneys, judges, and law enforcement personnel on the use of rap lyrics as evidence

## **PROFESSIONAL MEMBERSHIPS**

- Modern Language Association (2003 – present)
- British Association of American Studies (2009 – present)
- International Association for the Study of Popular Music (2010 – present)
- The Society for the Study of the Multi-Ethnic Literature of the United States (2011 – 2015)
- Popular Culture Association (2008 - 2013)

## **RECENT FACULTY SERVICE**

- Chair (2024) of University's Faculty Awards Selection Committee
- Member of University Faculty Athletics Committee
- Member of University Disabilities Advocacy Committee
- Member of University Honorary Degree Committee
- Member of SPCS Faculty Hiring Committee
- Member of SPCS Academic Council
- Member of SPCS Council of Program Chairs

## **AWARDS**

- Emmy nomination for *As We Speak: Rap Music on Trial* (2025)
- *As We Speak: Rap Music on Trial* selected to premier at Sundance Film Festival (2024)
- University of Richmond Distinguished Scholarship Award (2021)
- Hugh M. Hefner Foundation First Amendment Award (2020)
- Library of Virginia Literary Award (Finalist) (2020)
- University of Richmond Distinguished Educator Award (2016)
- Finalist for the State Council of Higher Education Outstanding Faculty Award (2015)