

PHILIP L. TORREY

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ACADEMIC POSITIONS

Harvard Law School

Harvard Immigration and Refugee Clinical Program

Crimmigration Clinic

Managing Attorney (Feb. 2017–Present)

- Direct the Crimmigration Clinic, which engages in federal litigation, collaborates with organizations on legislative advocacy, provides *Padilla* advisals, publishes practice guides for public defenders, and drafts white papers
- Supervise Clinical Instructor, administrative staff, and interns

Senior Clinical Instructor (July 2016–Present)

Clinical Instructor (July 2011–July 2016)

- Supervise clinical students in the direct representation of noncitizens seeking various forms of immigration protection in removal proceedings and before administrative agencies

Lecturer on Law (July 2013–Present)

- Teach non-clinical course, *Crimmigration: The Intersection of Criminal Law and Immigration Law*

Supervising Attorney, Harvard Immigration Project (July 2011–2018)

- Supervise student practice organization of approximately sixty students conducting limited direct representation of noncitizens in immigration matters, including bond hearings, green card applications, and policy advocacy

Honors: HLS student Government Teaching & Advising Award Recipient (April 2019)

EDUCATION

University of Connecticut School of Law, J.D., *cum laude* (May 2008)

Connecticut Law Review, Notes & Comments Editor

CALI Award for Academic Excellence in International Law

Teaching Assistant for Lawyering Process (first-year legal writing and research course)

Colgate University, B.A. in Political Science (May 2002)

LAW JOURNAL PUBLICATIONS AND WORKS IN PROGRESS

Judicial Proficiency in the Age of Inefficiency: Closing the Gaps in Immigration Law's Categorical Analysis (work in progress)

Jennings v. Rodriguez and the Future of Immigration Detention, 20 HARV. LAT. L. REV. 171 (2017)

Principles of Federalism and Convictions for Immigration Purposes, 36 IMMIGR. & NAT'L L. REV. 3 (2016)

Rethinking Immigration's Mandatory Detention Regime: Politics, Profit and the Meaning of "Custody", 48 MICH. J. L. REF. 879 (2015)

SELECT OTHER PUBLICATIONS

Challenging Immigration Law's Conviction Definition, HARV. C.R.-C.L. L. REV. AMICUS BLOG (Nov. 20, 2018)

Fatma Marouf, Philip L. Torrey, Sabi Ardalán, *The Overlooked Legal Challenge to Trump's Travel Ban*, HARV. L. REV. BLOG (Apr. 24, 2018)

Anyone's guess how justices will rule in immigration case, DAILY JOURNAL: CALIFORNIA LAWYER (Dec. 5, 2017)

Alternative Facts in the War on Immigrants, HARV. L. & POL'Y REV. (Mar. 3, 2017)

2016 Update to *Immigration Consequences of Massachusetts Sex Offenses*, in TRYING SEX OFFENSE CASES IN MASSACHUSETTS, Massachusetts Continuing Legal Education (2d ed. 2009 & 2d Supp. 2015)

Immigration Detention's Unfounded Mandate, 15-04 IMMIGR. BRIEFINGS 1 (2015)

The Erosion of Judicial Discretion in Crime-Based Removal Proceedings, 14-02 IMMIGR. BRIEFINGS 1 (2014)

SELECT INVITED TALKS

Lawyering in the Boundaries, Boston College Law School (2019)

Navigating Sanctuary: Cities Responses to Shifting Immigration Policies, University of Pennsylvania Law School (2018)

Immigration: Legal, Financial, and Humanitarian Considerations, Colgate University (2018)

Hawaii v. Trump, Boston College Law School (2018)

Investing in Democracy: Immigration, Refugees, and Changing U.S. Policies, Bridgewater State University (2018)

Introduction to Immigration Consequences of Criminal Convictions, New England Chapter of the American Immigration Lawyers Association (2018)

Sanctuary Cities, Albany Law Review Fall Symposium (2017)

Sanctuary Cities, the Massachusetts Safe Communities Act and Federal Efforts to Block Funding, The Federalist Society, Boston Lawyers Chapter (2017)

Amicus Briefs Advocacy Strategies, Emerging Immigration Law Scholars Conference (2017)

What is a Sanctuary City? What is at Stake? Bridgewater State University (2017)

Reimagining Advocacy: Adapting Clinical Models to Meet Community Needs, Association of American Law Schools Conference on Clinical Legal Education (2016)

Principles of Federalism and Convictions for Immigration Purposes, 2016 Spring Distinguished Speaker, Immigration and Nationality Law Review, University of Cincinnati College of Law (2016)

The State of the Immigration System, 18th Annual Latino Law, Policy, and Business Conference at Harvard (2015)

2015 Symposium on Immigration Reform, Michigan Journal of Law Reform (2015)

Connecticut Journal of International Law 2014 Symposium: *The Future of Immigration Policy and Reform*, University of Connecticut School of Law (2014)

Seeking Asylum in the U.S.: Debunking Myths & Considering Alternatives, National Conference of the Ethiopian Community Development Counsel (2012)

SELECT CAMPUS TALKS

Scholarship Workshop for Clinicians, Harvard Law School Clinical Workshop Committee (2019)

“Total and Complete Shutdown”: A Panel Discussion on Trump v. Hawaii and the Travel Ban, Harvard Immigration Project (2019)

The Fight Against the Muslim Ban 3.0, Harvard Immigration Project (2017)

Changes to Immigration Practice and Deportation Defense post-Trump Election, Office of Public Interest Advising, Harvard Immigration Project, Harvard Civil Rights-Civil Liberties Law Review (2017)

Developments in Crimmigration Law, Harvard Criminal Justice Institute (2017)

The State of Immigration Law and Policy, Harvard Legal Aid Bureau (2017)

Refugee Voices, Harvard Immigration Project Symposium (2016)

A Conversation on Criminal Justice with Philip L. Torrey, Criminal Justice Program of Study, Research & Advocacy (2016)

“And Ain’t I A Woman?”: Feminism, Immigrant Caregivers, and New Frontiers for Equality, Harvard Journal of Law and Gender (2015)

Immigration Without Reform, La Alianza, Harvard Law School (2015)

Immigration Consequences of Criminal Convictions, Harvard Law School, Introduction to Trial Advocacy (2014)

Clinical Ethics Training, Harvard Law School Office of Clinical and Pro Bono (2014)

Creating Home: Immigration & Social Issues in the Asian American Context, co-sponsored by Asian Pacific American Law Students Association, American Constitution Society, and the Harvard Immigration Project (2014)

Death in the Desert: The Humanitarian Crisis on the U.S./Mexico Border, co-sponsored by Harvard Law School Office of Clinical and Pro Bono, Harvard Immigration Project, and Harvard Immigration and Refugee Clinical Program (2014)

Deferred Action for Childhood Arrivals, Harvard Law School, Immigration Law (2013)

Immigration Consequences of Criminal Convictions, Harvard Law School, Introduction to Trial Advocacy (2012, 2013, 2014)

SELECT LITIGATION

Martinez-Cedillo v. Sessions, No. 14-71742 (9th Cir. Nov. 1, 2018) (counsel for *amici curiae* Immigration Law Professors in support of petition for rehearing en banc)

- The BIA's interpretation of the "crime of child abuse" is over-inclusive and contrary to congressional intent

Marinelarena v. Sessions, No. 14-72003 (9th Cir. June 29, 2018) (en banc) (counsel for *amici curiae* Immigration Law Professors)

- The INA's conviction definition should be interpreted to avoid frustrating principles of federalism (argument largely based on my article, *Principles of Federalism and Convictions for Immigration Purposes*, 36 IMMIGR. & NAT'L L. REV. 3 (2016))

Hawaii v. Trump, No. 17-965 (U.S.S.C. Mar. 30, 2018) (counsel for *amici curiae* Immigration Law Scholars)

- Presidential authority pursuant to INA § 212(f) as it relates to President Trump's statutory authority to issue his most iteration of the travel ban

Hawaii v. Trump, No. 17-17168 (9th Cir. Nov. 22, 2017) (counsel for *amici curiae* Immigration Law Scholars)

- Presidential authority pursuant to INA § 212(f) as it relates to President Trump's statutory authority to issue his most iteration of the travel ban

Trump v. Int'l Refugee Assistance Project, Nos. 16-1436 and 16-1540 (U.S.S.C. Sept. 18, 2017) (counsel for *amici curiae* Immigration Law Scholars)

- Presidential authority pursuant to INA §§ 212(f) and 215(a) as it relates to President Trump's statutory authority to issue his second travel ban

Commonwealth v. Sreyuon Lunn, No. SJ-12276 (Mass. Mar. 20, 2017) (counsel for *amicus curiae* Harvard Immigration and Refugee Clinical Program)

- Massachusetts law enforcement's lack of authority to arrest and detain solely pursuant to an ICE detainer

Valerio-Ramirez v. Lync II, No. 16-2272 (1st Cir. Feb. 15, 2017) (counsel for *amicus curiae* Harvard Immigration and Refugee Clinical Program and Immigrant Defense Project)

- International and statutory arguments concerning the interpretation of the INA's "particularly serious crime" bar to asylum

Int'l Refugee Assistance Project v. Donald Trump, No. 8:17-cv-00361 (D. Md. Mar. 2, 2017) (counsel for *amicus curiae* Harvard Immigration and Refugee Clinical Program)

- President Trump's first travel ban injunction concerning refugee admissions

Darweesh v. Donald J. Trump, No. 17-00480 (E.D.N.Y. Feb. 16, 2017) (counsel for *amicus curiae* Harvard Immigration and Refugee Clinical Program)

- President Trump's first travel ban injunction concerning presidential authority pursuant to INA § 212(f)

Vaskovska v. Lynch, No. 14-4382, (2d Cir. Aug. 31, 2016) (counsel for *amici curiae* Harvard Immigration and Refugee Clinical Program and Immigrant Defense Project)

- International and statutory arguments concerning the interpretation of the INA's "particularly serious crime" bar to asylum

Matter of A-R-C-G-, 26 I. & N. Dec. 388 (BIA 2014) (counsel for *amicus curiae* American Immigration Lawyers Association)

- Domestic violence may form the basis of an asylum claim

SELECT MEDIA APPEARANCES

Samuel Garcia, *What Happens to Immigrants Who Face Addiction*, FORBES (Oct. 15, 2018)

Samuel Garcia, *Withdrawal From DACA Litigation Becomes Key Point In Texas Attorney General Race*, FORBES (Sept. 17, 2018)

Voire Dire, Podcast, Criminal Justice Policy Program of Harvard Law School (Feb. 5, 2018)

Courtney Weaver, *Trump's immigration crackdown runs into a wall*, FINANCIAL TIMES (Jan. 3, 2018)

Massarah Mikati, *Albany Law holds symposium on sanctuary cities*, ALBANY TIMES-UNION (Nov. 10, 2017)

Michael Knigge, *Why Donald Trump's travel ban could meet an unexpected end*, DEUTSCHE WELLE (June 27, 2017)

Jamaal Abdul-Alim, *Scholars: DACA Reprieve No Reason for Dreamers to Relax*, DIVERSE ISSUES IN HIGHER EDUCATION (Jun. 18, 2017)

Texas es el único estado donde las 'universidades santuario' están bajo ataque tanto federal como estatal, UNIVISION NOTICIAS (May 17, 2017)

Priyanka Podugu, *Ivy League works to assist students in the face of threatening immigration policies*, THE BROWN DAILY HERALD (Apr. 27, 2017)

Nik Decosta-Klipa, *What happens to Boston and other sanctuary cities named on ICE's detainer report?*, BOSTON.COM (Mar. 23, 2017)

Alan Neuhauser, *What's Next for Trump's Travel Ban?*, U.S. NEWS & WORLD REPORT (Mar. 20, 2017)

Kim Soffen, *With Trump's changes, the deportation process could move much faster*, WASHINGTON POST (Feb. 24, 2017)

Andrea Noble, *"Sanctuary" county in California seeks hold on Trump order, fears loss of federal funds for budget*, WASHINGTON TIMES (Feb. 24, 2017)

Joseph Stepansky, *US lawmakers target undocumented student "sanctuaries"*, AL JAZEERA (Feb. 21, 2017)

John Fritze, *Trump order punishing "sanctuary cities" faces hurdles in Baltimore*, BALTIMORE SUN (Feb. 18, 2017)

What do Sanctuary Cities Really Offer? At What Cost? MINNESOTA PUBLIC RADIO (Feb. 7, 2017)

Darla Cameron, *How sanctuary cities work and what might happen to them under Trump*, WASHINGTON POST (Jan. 18, 2017)

Nick Tabor, *The Sanctuary Solution*, JACOBIN MAGAZINE (Jan. 4, 2017)

Catherine Morris, *Colleges Debate Taking On "Sanctuary Campus" Designation*, DIVERSE: ISSUES IN HIGHER EDUCATION (Dec. 22, 2016)

Nik Decosta-Klipa, *Here's why Somerville shouldn't be too worried about Trump pulling its federal funding*, BOSTON.COM (Dec. 19, 2016)

Ruairí Arrieta Kenna, *Sanctuary cities stand firm against Trump*, POLITICO MAGAZINE (Dec. 12, 2016)

Miriam Valverde, *Santa Fe mayor defends sanctuary cities, says studies don't show an increase in crime*, POLITIFACT.COM (Nov. 28, 2016)

Erin Durkin, *Here's how Trump's plan to defund sanctuary cities could play out*, NEW YORK DAILY NEWS (Nov. 23, 2016)

Alan Neuhauser, *Sanctuary Cities Brace for Trump Crackdown on Immigration*, U.S. NEWS & WORLD REPORT (Nov. 18, 2016)

Kirk Carapezza and Lydia Emmanouilidou, *Students Urge Administrators to Create 'Sanctuary Campuses' for Undocumented Peers*, WGBH 89.7 FM Radio, NATIONAL PUBLIC RADIO (Nov. 16, 2016)

Samuel Gilbert, *Is this the end of prison for profit in the US?*, AL JAZEERA (Oct. 16, 2016)

All Things Considered, U.S. v. Texas Supreme Court Decision, WGBH 89.7 FM Radio, NATIONAL PUBLIC RADIO (June 23, 2016)

Liz Mineo, *Limitations on the Undocumented*, HARVARD GAZETTE (June 23, 2016)

Michael Shammas, *Harvard Law Professors and Scholars: State Governors Have No Legal Authority to Block Refugees*, HUFFINGTON POST (Nov. 18, 2015)

Tyler Olkowski, *HLS Students, Professors Argue Against Immigration Enforcement*, HARVARD CRIMSON (Feb. 19, 2014)

WERS 88.9 FM Radio, *You Are Here, Discriminatory Incarceration* (2014)

WERS 88.9 FM Radio, *You Are Here, The Scope of Liberties: Immigrant Liberties* (2014)

On the Border: Students Witness the Journey of the Undocumented, HARVARD LAW BULLETIN (2014)

Defense Attorneys Must Give Clear Advice On Possible Deportations, SJC Rules, WBUR 90.1 FM Radio, NATIONAL PUBLIC RADIO (2014)

Mass. High Court Weighs 'Correct' Legal Advice On Possible Deportations, WBUR 90.1 FM Radio, NATIONAL PUBLIC RADIO (2014)

RELVANT WORK EXPERIENCE

Greater Boston Legal Services, Immigration Unit

Volunteer Attorney (February 2011–June 2011)

Attorney Fellow (May 2009–June 2010) (Enrolled in Skadden's Sidebar Plus Program)

Skadden, Arps, Slate, Meagher & Flom LLP

Litigation Associate (September 2008–May 2009; June 2010–January 2011)

Summer Associate (May 2007–August 2007)

PROFESSIONAL MEMBERSHIPS

Massachusetts State Court Bar (2008)

Massachusetts Federal Court Bar (2009)

Connecticut State Court Bar (retired)

U.S. Court of Appeals for the First Circuit (2015)

U.S. Court of Appeals for the Second Circuit (2015)

U.S. Court of Appeals for the Ninth Circuit (2017)
American Bar Association Criminal Justice Taskforce
American Immigration Lawyers Association
Clinical Legal Education Association
National Lawyers Guild