

PHILIP L. TORREY

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ACADEMIC POSITIONS

Harvard Law School, Harvard Immigration and Refugee Clinical Program

Director, Crimmigration Clinic (July 2019–Present)

Senior Clinical Instructor (July 2016–Present)

Clinical Instructor (July 2011–July 2016)

Founded and launched first crimmigration-focused clinic in the country. Oversee all aspects of the clinic, including project selection and management. Litigate cases in appellate and district courts around the country. Develop policy advocacy strategies with local, state, and national organizations. Train and supervise law students representing noncitizen clients in administrative and federal court proceedings. Supervise two clinical instructors and one fellow, as well as approximately 12-14 law students enrolled in the clinic each semester.

Select clinic projects:

- Secured a nationwide injunction in U.S. District Court against a federal regulation seeking to expand the crime-based bars to asylum;
- Represented clients in federal court habeas proceedings who are seeking release from detention based on the COVID-19 pandemic;
- Represented clients in the First Circuit and Ninth Circuit challenging the basis of their underlying removal order;
- Partnered with municipalities and states around the country to develop litigation strategies challenging the federal government's threat to revoke federal funds to 'sanctuary' jurisdictions;
- Filed petition for writ of certiorari in the Supreme Court on behalf of client challenging the effectiveness of his defense counsel pursuant to the Sixth Amendment; and
- Drafted amici brief on behalf of immigration law and constitutional law scholars based on my 2016 publication challenging immigration law's conviction definition on federalism grounds.

Managing Attorney (Feb. 2017–Present)

Assist the program's director in managing a program with approximately fifteen staff members responsible for supervising nearly 100 law students per semester.

Lecturer on Law (July 2013–Present)

Harvard Divinity School, Religion and Public Life Program

Immigration and Refugee Fellow (July 2021–May 2022)

Invited to be the inaugural immigration and refugee fellow joining three other issue-area fellows to teach to students pursuing a certificate in Religion and Public Life at the Divinity School.

HONORS

- Below Scholar (2021–22)
- Harvard Law School Dean’s Award for Excellence (2020)
- Harvard Law School Student Government Teaching & Advising Award (2019)

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)

Unpacking the Rise in Crimmigration Cases at the Supreme Court, N.Y.U REV. OF L. & SOC. CHANGE, *THE HARBINGER* (2020)

Kari Hong and Philip L. Torrey, *What Matter of Soram Got Wrong: “Child Abuse” Crimes that May Trigger Deportation are Constantly Evolving and Even Target Good Parents*, HARV. C.R.-C.L. L. REV. AMICUS BLOG (2019)

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

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

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

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

Alternative Facts in the War on Immigrants, HARV. L. & POL’Y REV. (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

Decriminalizing migration to solve a humanitarian crisis, Harvard Kennedy School, Program in Criminal Justice Policy and Management (Sept. 23, 2020)

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

Chicanos, the Law, and the Criminal Justice System, Ethnic Studies, University of California Berkeley (2021)

New Hampshire Public Defenders' Crimmigration Training, New Hampshire Public Defender, (2021)

Crimmigration, Program in Criminal Law and Policy Speaker Series, University of Arizona James E. Rogers College of Law (2021)

Expanded Criminal Bars to Asylum, National Immigration Project of the National Lawyers Guild, CLE Conference: Fighting for Due Process in the Immigration System (2020)

Overcoming Boundaries: How Borders Define Migration, Harvard College Project for Asian and International Relations 2020 Conference (2020)

Review of Immigration-Related U.S. Supreme Court Cases: Challenges, Ramifications & What to Expect, American Bar Association (2020)

Criminalizing Asylum-Seekers: A Violation of International Law? Fordham University School of Law (2019)

Clinical Education at Harvard Law School: The Crimmigration Clinic, 2019 Northeast Association of Pre-Law Advisors Conference (2019)

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)

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

Preparing Lawyers for the 21st Century: Clinical Education at HLS, Harvard Law School Alumni Event (2019)

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)

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)

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 Programs, Harvard Immigration Project, and Harvard Immigration and Refugee Clinical Program (2014)

SELECT MEDIA COVERAGE

Lawyer 2 Lawyer Podcast, Legal Talk Network, *Federal Funding and Sanctuary Cities* (Mar. 20, 2020)

CBS News Boston, *Border Patrol Agents Being Deployed to Boston Area for Immigration Enforcement* (Feb. 14, 2020)

Travis Anderson & Danny McDonald, *Border patrol agents to have presence in Boston for immigration enforcement in coming weeks*, BOSTON GLOBE (Feb. 14, 2020)

Danny McDonald, *In recent years, four Mass. jails got \$164 million in federal money to house ICE detainees*, BOSTON GLOBE (Jan. 26, 2020)

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

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

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

Alan Neuhauser, *Sanctuary Cities Brace for Trump Crackdown on Immigration*, U.S. NEWS & WORLD REPORT (Nov. 18, 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 (Jun. 23, 2016)

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

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

LAW SCHOOL AND UNIVERSITY SERVICE

Member and Founder, Clinical Equity and Racial Justice Committee, Harvard Law School
Advisory Committee Member, Harvard University, Committee on Ethnicity, Migration, Rights
Advisory Committee Member, Public Service Venture Fund, Harvard Law School
Faculty Affiliate, Program in Criminal Justice Policy and Management, Harvard Kennedy School
Member, New England Clinical Conference Planning Committee
Member, Clinical Workshop Committee, Harvard Law School
Member, Clinical Information and Technology Services Committee, Harvard Law School

PROFESSIONAL MEMBERSHIPS AND BAR ADMISSIONS

Massachusetts State Court Bar (2008)
Connecticut State Court Bar (retired)
U.S. District Court for the District of Massachusetts (2009)

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 Third Circuit (2019)
U.S. Court of Appeals for the Fourth Circuit (2022)
U.S. Court of Appeals for the Fifth Circuit (2019)
U.S. Court of Appeals for the Sixth Circuit (2019)
U.S. Court of Appeals for the Ninth Circuit (2017)
U.S. Court of Appeals for the Tenth Circuit (2022)
U.S. Court of Appeals for the Eleventh Circuit (2021)
U.S. Supreme Court (2019)
American Immigration Lawyers Association, Law Student Engagement Committee member
Clinical Legal Education Association
National Lawyers Guild

EDUCATION

University of Connecticut School of Law, J.D., *cum laude* (May 2008)
Connecticut Law Review, Notes & Comments Editor

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

RELVANT WORK EXPERIENCE

Greater Boston Legal Services, Immigration Unit

Volunteer Attorney (Feb. 2011–Jun. 2011)
Attorney Fellow (May 2009–Jun. 2010) (Enrolled in Skadden’s Sidebar Plus Program)

Skadden, Arps, Slate, Meagher & Flom LLP

Litigation Associate (Sept. 2008–May 2009; Jun. 2010–Jan. 2011)
Summer Associate (May 2007–August 2007)