

# CHRISTOPHER N. LASCH

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## EDUCATION

**Yale Law School.** New Haven, CT. J.D., June 1996.

Coker Fellow, Fall 1995. Prisons Clinic, Spring 1996. Transferred from University of Colorado Law School after 1L year (Rank 1/152; Bernard J. Seeman Scholarship, 1993-94).

**Columbia College, Columbia University.** New York, NY. B.A., History, January 1987.  
Dean's List, five of seven semesters.

## ACADEMIC POSITIONS

**University of Denver Sturm College of Law.** Denver, CO. Professor of Law, August 2018 to present; Associate Professor, August 2014 to July 2018; Assistant Professor, July 2010 to July 2014.

Develop and co-direct the semester-long in-house Criminal Defense Clinic, consisting of a two-to-three-week intensive orientation program and twice-weekly seminar sessions. Supervise students handling live-client matters in the municipal and county courts in the Denver area. Develop and co-direct a semester-long in-house Immigration Law and Policy Clinic consisting of a two-to-three-week intensive orientation program and twice-weekly seminar sessions. Supervise students handling live-client immigration matters in immigration and federal court.

**Suffolk University Law School.** Boston, MA. Visiting Assistant Clinical Professor, July 2009 to June 2010.

Developed and taught second section of Suffolk Defenders clinic, a year-long in-house criminal defense clinic consisting of an intensive orientation program and weekly seminar sessions. Supervise eight students handling live-client matters in the Boston Municipal Court. Coordinate with the New England Innocence Project to offer student assistance with legal and factual investigation.

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**Yale Law School.** New Haven, CT. Associate Research Scholar in Law and Clinical Lecturer, July 2007 to June 2009; Robert M. Cover Clinical Teaching Fellow, July 2006 to June 2008.

Developed and co-taught Criminal Defense Project, a clinical offering in which students participate with public defenders in representing defendants charged with serious felony offenses. Co-taught Capital Punishment Clinic, developing substantive seminar component and providing additional in-house supervision of students. Co-taught Worker and Immigrant Rights Advocacy Clinic (awards: Public Interest Organization of the Year award (student vote), April 2007 (inaugural year of clinic); Immigrant Rights Award, The Connecticut American Friends Service Committee, June 2008), Complex Federal Litigation Clinic, and Lawyering Ethics Clinic. All clinical offerings included seminar component and supervision of law students handling live-client matters. Supervised students in Supreme Court Clinic preparing amicus brief in a capital case in the United States Supreme Court. Supervised students independently handling criminal matters (including postconviction matters and a second capital amicus brief in the United States Supreme Court). Led student reading groups in criminal defense topics.

**Yale Law School.** New Haven, CT. Coker Fellow, Fall 1995.

Taught first-year law students legal research, writing, and oral advocacy in context of small-group Contracts class taught by Professor Robert Gordon.

**Yale Law School.** New Haven, CT. Research Assistant, Fall 1994 to Spring 1995.

Performed legal research, writing, and editing for Professor David Luban.

## ACADEMIC PUBLICATIONS

*The Battle over “Sanctuary Policies” Illuminates the Clash of Values Underlying Today’s Immigration Policy Debates*, 52 ABA SEC. INT’L LAW YEAR IN REVIEW 347 (2018), [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3207948](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3207948).

*Understanding “Sanctuary Cities,”* 59 B.C. L. REV. 1703 (with R. Linus Chan, Ingrid Eagly, Dina Francesca Haynes, Annie Lai, Elizabeth M. McCormick, and Juliet P. Stumpf, 2018), [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3045527](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3045527).

*A Common-Law Privilege to Protect State and Local Courts During the Crimmigration Crisis*, 127 YALE L.J. F. 410 (2017), <http://www.yalelawjournal.org/forum/a-common-law-privilege-to-protect-state-and-local-courts-during-the-crimmigration-crisis>.

*Crimmigration Resistance and the Case of Sanctuary City Defunding*, 57 SANTA CLARA L. REV. 539 (with Annie Lai, 2017), [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3094952](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3094952).

- Sanctuary Cities and Dog-Whistle Politics*, 42 NEW ENG. J. ON CRIM. AND CIV. CONFINEMENT 159 (2016), available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2748899](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2748899).
- Editorial—Enacting and Sustaining Trauma and Violence Through Policy Enforcement: Family Immigration Detention*, 30 AFFILIA: JOURNAL OF WOMEN AND SOCIAL WORK 281 (with Debora M. Ortega and Lisa Graybill, 2015), available at <http://aff.sagepub.com/content/30/3/281>.
- Editorial—Crimmigration and Detainers: An Opportunity for Feminist Praxis*, 29 AFFILIA: JOURNAL OF WOMEN AND SOCIAL WORK 257 (with Debora M. Ortega, 2014), available at <http://aff.sagepub.com/content/29/3/257>.
- “Crimmigration” and the Right to Counsel at the Border Between Civil and Criminal Proceedings*, 99 IOWA L. REV. 2131 (2014), available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2442124](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2442124).
- Redress in State Postconviction Proceedings for Ineffective Crimmigration Counsel*, 63 DEPAUL L. REV. 959 (2014), available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2480248](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2480248).
- Rendition Resistance*, 92 N.C. L. REV. 149 (2013), available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2352429](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2352429).
- Panel Discussion I: Understanding Immigration—Satisfying Padilla’s New Definition of Competence in Legal Representation*, 9 Tenn. J. L. & Pol’y 73 (2013) (with Jennifer Chacón and Yolanda Vázquez).
- Preempting Immigration Detainer Enforcement Under Arizona v. United States*, 3 WAKE FOREST J. L. & POL’Y 281 (2013) (invited), available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2253001](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2253001).
- Federal Immigration Detainers After Arizona v. United States*, 46 LOYOLA L.A. L. REV. 629 (2013) (invited), available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2178524](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2178524).
- The Future of Teague Retroactivity, or “Redressability,” after Danforth v. Minnesota: Why Lower Courts Should Give Retroactive Effect to New Constitutional Rules of Criminal Procedure in Postconviction Proceedings*, 46 AM. CRIM. L. REV. 1 (2009), available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1213153](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1213153).
- Enforcing the Limits of the Executive’s Authority to Issue Immigration Detainers*, 35 WILLIAM MITCHELL L. REV. 164 (2008) (invited), available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1317326](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1317326).

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*Initiating a New Constitutional Dialogue: The Increased Importance Under AEDPA of Seeking Certiorari from Judgments of State Courts*, 50 WILLIAM & MARY L. REV. 211 (with Giovanna Shay, 2008), available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1095885](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1095885).

### OTHER PUBLICATIONS

*The Faulty Legal Arguments Behind Immigration Detainers*, IMMIGRATION POLICY CENTER (Dec. 18, 2012), available at <http://www.immigrationpolicy.org/perspectives/faulty-legal-arguments-behind-immigration-detainers>.

*Litigating Immigration Detainer Issues*, chapter in COLORADO BAR ASSOCIATION, IMMIGRATION LAW FOR THE COLORADO PRACTITIONER (2012, rev'd 2013, 2014, 2016), available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2140031](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2140031).

*Using International and Foreign Law in your Capital Case*, chapter in KENTUCKY DEPARTMENT OF PUBLIC ADVOCACY, DEATH PENALTY MANUAL (2011).

“Ineffective Assistance of Counsel,” Chapter 11 in *A Jailhouse Lawyer’s Manual* (Columbia Univ.) (edited, Spring 2007).

### ACADEMIC PRESENTATIONS AND ACTIVITIES

“The sanctuary lens: Seeing the values that shape our debates over sanctuary.” (Panelist.) University of California San Diego, United States Immigration Policy Section: “Immigration Politics & Policy in the Age of Trump.” San Diego, CA (Apr. 17, 2019).

“A brief history of immigration detainers.” (Panelist.) University of Denver Sturm College of Law, Crimmigration Law & Policy 2019 Event Series: “Upending Local Immigration Imprisonment: Immigration Detainer Challenges.” Denver, CO (Apr. 16, 2019).

Oral Testimony, “Protect Colorado Residents From Federal Government Overreach,” H.B. 19-1124, 72<sup>nd</sup> Gen. Assem. (Colo. Mar. 28, 2019), available at [http://coloradoga.granicus.com/MediaPlayer.php?view\\_id=23&clip\\_id=13853&meta\\_id=329492](http://coloradoga.granicus.com/MediaPlayer.php?view_id=23&clip_id=13853&meta_id=329492) (testimony is from 2:15:05 – 2:18:20).

“When being in America is a crime.” (Panel moderator.) University of Denver Sturm College of Law student chapters, Inaugural Civil Rights Summit: “In pursuit of a more perfect union.” Denver, CO (Feb. 15, 2019).

“A common-law privilege to prevent immigration courthouse arrests.” (Panelist.) American Bar Association 2019 Midyear Meeting, Criminal Justice Section: “Putting ICE on

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ice.” Las Vegas, NV (Jan. 25, 2019) (<https://www.youtube.com/watch?v=40WK-jA2AOA>).

“Oregon Lawsuit Challenges State, Local Participation in Immigration Enforcement.” (with Mark Fleming, National Immigrant Justice Center). CRIMMIGRATION (Jan. 9, 2018) (<http://crimmigration.com/2019/01/09/oregon-lawsuit-challenges-state-local-participation-in-immigration-enforcement/>).

“‘Sanctuary’ Values.” (Panelist.) Association of American Law Schools 2019 Annual Conference, Section on Immigration: “Immigration Values.” New Orleans, LA (Jan. 5, 2019).

“‘Sanctuary’ as Civil Rights Discourse.” Seminario internacional: “‘crInmigración’: control de la inmigración y Derecho penal en perspectiva comparada.” Universidad Complutense. Madrid, Spain (Dec. 11, 2018).

“Cities as Havens: The Evolution of Sanctuary Policies.” (Panelist). Symposium: “Remodeling Sanctuary: Urban Immigration in a New Era.” Fordham University School of Law. New York, NY (Nov. 9, 2018).

“Putting Immigration Detention in Perspective.” (Panelist). University of Denver Sturm College of Law Student Immigration Law Coalition, “Voices of Immigrant Prisoners.” Denver, CO (Nov. 8, 2018).

“Sanctuary Cities and Protecting Immigrants and Refugees.” (Panelist). University of Minnesota Law School, Immigration Law Forum, “Civil Rights Behind Bars.” Minneapolis, MN (Nov. 2, 2018).

“Sanctuary Values.” (Panelist). Crimmigration Control International Net of Studies, IV CINETS Conference, “Mobility and Security in an Era of Globalisation: Crimmigration at a Crossroads?” London, England, UK (Oct. 6, 2018).

“Mapping the Right to Counsel in Immigration Proceedings.” (Panelist). University of Denver Sturm College of Law, “The Legacy of *Gideon v. Wainwright*.” Denver, CO (Sept. 14, 2018).

“Crimmigration and Denver Law’s Immigration Law and Policy Clinic.” (Panelist). International Law Society, University of Denver Sturm College of Law, “I.C.E. Cold: International & Domestic Implications of U.S. Immigration Policy.” Denver, CO (Aug. 30, 2018).

“Studying Crimmigration.” (Guest lecturer). University of Denver, Methods of Socio-Legal Inquiry class. Denver, CO (May 8, 2018).

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- “Fighting for Sanctuary: A Vehicle for Learning About Advocacy and Social Justice.” (Panelist). Association of American Law Schools, 2018 Conference on Clinical Legal Education. Chicago, IL (May 1, 2018).
- “Clinical Pedagogy in an Era of Mass Incarceration.” (Panelist). Association of American Law Schools, 2018 Conference on Clinical Legal Education. Chicago, IL (April 30, 2018).
- “Courthouses.” (Lightning talk and group facilitator). Harvard Law School, “Strategies for Sanctuary Spaces in the Age of Deportations, Defunding, and President Donald Trump,” Harvard Law School Bicentennial. Cambridge, MA (April 20, 2018).
- Oral Testimony, “Colorado Politician Accountability Act,” H.B. 18-1178, 71<sup>st</sup> Gen. Assem. (Colo. Mar. 14, 2018), available at [http://coloradoga.granicus.com/MediaPlayer.php?view\\_id=23&clip\\_id=12249&meta\\_id=274000](http://coloradoga.granicus.com/MediaPlayer.php?view_id=23&clip_id=12249&meta_id=274000) (testimony is from 3:35:10 – 4:00:15).
- “‘Sanctuary Cities’ and the ‘Rule of Law.’” University of Cincinnati College of Law. Cincinnati, OH (Feb. 19, 2018).
- “Crimmigration Resistance and ‘Sanctuary Cities.’” (Guest lecturer). University of Cincinnati College of Law, Immigration Law class. Cincinnati, OH (Feb. 19, 2018).
- “‘Sanctuary Cities’ and the ‘Rule of Law.’” (Guest lecturer). University of Denver, Capstone Seminar in Political Science: Democratic Erosion. Denver, CO (Feb. 13, 2018).
- “Understanding ‘Sanctuary Cities’” (with Ingrid Eagly, Annie Lai, and Juliet Stumpf). University of California, Los Angeles School of Law. Los Angeles, CA (Dec. 15, 2017).
- “Crimmigration Resistance and the Case of Sanctuary City Defunding” (with Annie Lai). University of California, Irvine School of Law. Irvine, CA (Dec. 14, 2017).
- “Current ‘Crimmigration’ Issues.” Columbia Legal Services. Seattle, WA (Dec. 13, 2017).
- “The Crimmigration Crisis: State and Local Responses to Federal Immigration Enforcement Efforts.” West Coast Poverty Center, University of Washington. Seattle, WA (Dec. 12, 2017).
- “Criminal Justice Roundtable.” West Coast Poverty Center, University of Washington. Seattle, WA (Dec. 12, 2017).
- “Sanctuary Measures and their Limits.” Keeping the Dream Alive Annual Conference. University of Denver. Denver, CO (Dec. 8, 2017).

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“Sanctuary Cities: Immigration Law Meets Federalism.” (Panelist). Levin Center at Wayne State University Law School, “Current Issues in Immigration Law: Detention, ‘Sanctuary Cities,’ and the ‘Travel Ban.’” Detroit, MI (Nov. 10, 2017).

“Sanctuary as Legal Redoubt Against Racism.” (Panelist). Association for Humanist Sociology 2017 Annual Meeting: “Imagining Possibilities: Humanists Connecting to Better Fight Oppression.” Havana, Cuba (Nov. 1, 2017).

“Fourth Amendment, Detention and Habeas.” (Panelist). American Immigration Lawyers Association (Colorado Chapter), 6<sup>th</sup> Annual Fall Conference on Crimmigration. Denver, CO (Oct. 13, 2017).

“More Empty Threats: The Trump Administration’s Latest Attack on Sanctuary Cities.” TAKE CARE (with Seth Davis and Annie Lai, August 31, 2017), <https://takecareblog.com/blog/more-empty-threats-the-trump-administration-s-latest-attack-on-sanctuary-cities>.

“Crimmigration: Issues at the Intersection of Immigration and Criminal Law.” National Association of Appellate Court Attorneys, 12<sup>th</sup> Annual Conference. Denver, CO (July 14, 2017).

“The Interlocking Dimensions of Crimmigration.” (Chair/discussant). 2017 International Conference on Law and Society. Mexico City, MX (June 23, 2017).

“The Legal and Political Determinants of Sanctuary Policies.” (with Prof. Lisa Martinez). 2017 International Conference on Law and Society. Mexico City, MX (June 23, 2017).

Letter to California Governor and State Legislature in support of SB54, the "California Values Act." (Letter on behalf of immigration, criminal justice, constitutional law, and international law scholars) (May 17, 2017), [http://www.ndlon.org/en/resources/item/download/22\\_c5364afc7f5d24bc0189b9fa60aec57b](http://www.ndlon.org/en/resources/item/download/22_c5364afc7f5d24bc0189b9fa60aec57b).

“Legal Issues Pertaining to Disentanglement Policies.” (Panelist). “Cities, the Constitution, and Community.” Denver, CO (May 9, 2017).

“Fueling Academic Writing with Social Justice Advocacy.” (Panelist). Association of American Law Schools, 2017 Conference on Clinical Legal Education. Denver, CO (May 7, 2017).

“Sanctuary Cities and Campuses.” Teach-In and Conversation: #SanctuaryDU. University of Denver. Denver, CO (May 5, 2017).

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Oral Testimony, “Colorado Citizen Protection Against Sanctuary Policies Act,” S.B. 281, 71<sup>st</sup> Gen. Assem. (Colo. May 3, 2017), available at [http://coloradoga.granicus.com/MediaPlayer.php?view\\_id=23&clip\\_id=11216&meta\\_id=246916](http://coloradoga.granicus.com/MediaPlayer.php?view_id=23&clip_id=11216&meta_id=246916) (testimony is from 1:39:10 – 1:59:04).

Oral Testimony, Bill 17-0513, Denver City Council (Safety, Housing, Education & Homelessness Committee (May 3, 2017), available at [http://denver.granicus.com/MediaPlayer.php?view\\_id=180&clip\\_id=10196](http://denver.granicus.com/MediaPlayer.php?view_id=180&clip_id=10196) (testimony is from 32:23 – 34:45).

Written Testimony, Bill 17-0513, Denver City Council (Safety, Housing, Education & Homelessness Committee) (May 3, 2017), available at <http://ssrn.com/abstract=2965879>.

“Colorado Sanctuary Bill Relies on Fallacies—Colorado Senate Bill 281 would hurt law enforcement.” (with Prof. César Cuauhtémoc García Hernández). DENVER POST (April 21, 2017) (<http://www.denverpost.com/2017/04/21/colorado-sanctuary-city-bill-relies-on-fallacies/>).

“The Political Attorney General.” JURIST - ACADEMIC COMMENTARY (April 20, 2017), <http://jurist.org/academic/2017/04/christopher-lasch-the-political-attorney-general.php>.

Written Testimony, “Colorado Citizen Protection Against Sanctuary Policies Act,” S.B. 281, 71<sup>st</sup> Gen. Assem. (Colo. April 13, 2017), available at <http://ssrn.com/abstract=2965877>.

Oral Testimony, “Colorado Citizen Protection Against Sanctuary Policies Act,” S.B. 281 and “Colorado Freedom Defense Act,” H.B. 1230, 71<sup>st</sup> Gen. Assem. (Colo. Apr. 10, 2017), available at [http://coloradoga.granicus.com/MediaPlayer.php?view\\_id=47&clip\\_id=10975](http://coloradoga.granicus.com/MediaPlayer.php?view_id=47&clip_id=10975) (testimony is from 2:48:20 – 3:03:40).

“Colorado Republicans Target Sanctuary Cities—Again—in Pursuit of Trump’s Anti-Immigrant Agenda.” (with Prof. César Cuauhtémoc García Hernández). CRIMMIGRATION (April 10, 2017) (<http://crimmigration.com/2017/04/10/colorado-republicans-target-sanctuary-cities-again-in-pursuit-of-trumps-anti-immigrant-agenda/>).

“Sanctuary Campuses and Cities: Conflicts of Law.” (Panelist). National Lawyers Guild Southwest Regional Conference, “Resist—Persist.” University of Denver. Denver, CO (April 1, 2017).

“Strategies for Fighting Back: Litigation and Overcoming State Preemption Concerns.” (Panelist). New York City Council Speaker Melissa Mark-Viverito, Local Progress, and the Center for Popular Democracy, “Seeking Sanctuary: Municipal Policy to



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Confront Mass Deportation and Criminalization.” New York, NY (March 28, 2017).

“Sanctuary Colorado.” (Panelist). University of Colorado, Boulder, CO (March 21, 2017).

“Sanctuary Cities and the Anti-Sanctuary President.” Drexel University Thomas R. Kline School of Law, Philadelphia, PA (Feb. 28, 2017).

“Sanctuary Cities and the Anti-Sanctuary President.” University of Pennsylvania Law School, Philadelphia, PA (Feb. 28, 2017).

Oral Testimony, “Colorado Politician Accountability Act,” H.B. 1134, 71<sup>st</sup> Gen. Assem. (Colo. Feb. 22, 2017), available at [http://coloradoga.granicus.com/MediaPlayer.php?view\\_id=16&clip\\_id=10457](http://coloradoga.granicus.com/MediaPlayer.php?view_id=16&clip_id=10457) (testimony is from 4:37:20 – 4:54:42).

Written Testimony, “Colorado Politician Accountability Act,” H.B. 1134, 71<sup>st</sup> Gen. Assem. (Colo. Feb. 22, 2017), available at <http://ssrn.com/abstract=2922814>.

“Border Walls and Sanctuary Cities.” (Co-presented with Prof. César Cuauhtémoc García Hernández). Crimmigration Law Lecture Series. University of Denver Sturm College of Law, Denver, CO (Feb. 21, 2017).

“Resistance to the Fugitive Slave Act gives Sanctuary Cities a Model for Resistance.” HISTORY NEWS NETWORK (Feb. 21, 2017) (<http://historynewsnetwork.org/article/165256>).

“Constitutional Collision in Colorado Anti-Immigrant Bill.” (with Prof. César Cuauhtémoc García Hernández). CRIMMIGRATION (Feb. 21, 2017) (<http://crimmigration.com/2017/02/21/constitutional-collision-in-colorado-anti-immigrant-bill/>).

“Despite calls to defund sanctuary cities, a steady drumbeat of judicial decisions defends them.” THE HILL (Jan. 26, 2017) (<http://thehill.com/blogs/congress-blog/judicial/316389-despite-calls-to-defund-sanctuary-cities-a-steady-drumbeat-of>).

“Can College and University Campuses Provide ‘Sanctuary’ from Immigration Enforcement?” (Panelist, with the Constitution Campus Working Group of the Rocky Mountain Collective on Race, Place, and Law). University of Denver, Diversity Summit 2017. Denver, CO (Jan. 19, 2017, Jan. 20, 2017).

“The Future of ‘Sanctuary’ in a Trump Presidency.” (Panelist). Symposium: “This Side of the Border: An Analysis of Immigration Detention, Enforcement, and Community Impact.” Valparaiso University Law. Valparaiso, IN (November 11, 2016).

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- “The Politics of Crimmigration.” (Panelist). Crimmigration Control International Net of Studies, III CINETS Conference, “Crimmigration in the Shadow of Sovereignty.” University of Maryland. College Park, MD (October 7, 2016).
- “The Myth of Immigrant Criminality.” (Panelist). University of Denver, Office of Diversity and Inclusion, “Divisive Discourse in Politics: Immigration.” Denver, CO (Sept. 26, 2016).
- Letter to Subcommittee on Immigration and Border Security, Committee on the Judiciary, U.S. House of Representatives, regarding legality of NEW ORLEANS POLICE DEPARTMENT OPERATIONS MANUAL, § 41.6.1 (“Immigration Status”) (Sept. 26, 2016), <http://crimmigration.com/wp-content/uploads/2017/01/Lasch-letter-to-Congress-re-NOPD-policy-2016-09-26-final-with-signatures.pdf>.
- “The 2016 Election: Fear and Loathing in the 21<sup>st</sup> Century.” (Panelist). University of Denver Sturm College of Law, Rocky Mountain Collective on Race, Place, and Law, “Thursdays at Noon.” Denver, CO (Sept. 22, 2016).
- Working group co-facilitator (with Prof. D. Christopher Dearborn).<sup>[SEP]</sup> Association of American Law Schools, 2016 Conference on Clinical Legal Education. Baltimore, MD (April 30-May 3, 2016).
- “Out of the Ivory Tower and into the Community! Academic Writing for Social Justice.” (Panelist). Association of American Law Schools, 2016 Conference on Clinical Legal Education. Baltimore, MD (May 1, 2016).
- “Deconstructing the Crimmigration Pipeline.” (Panelist). Symposium: “Can Sanctuary Keep Communities Secure? Legal, Moral and Historical Considerations.” University of St. Thomas School of Law. Minneapolis, MN (March 18, 2016).
- Lecture series co-organizer (with Prof. César Cuauhtémoc García Hernández): “Crimmigration Law Lecture Series.” University of Denver Sturm College of Law, Denver, CO. (March 3, 2016 through February 21, 2017).
- “Implementing the Constitutional Norm Announced in *Padilla v. Kentucky*” (with Jose Padilla, Yolanda Vázquez, and Hans Meyer), University of Denver Sturm College of Law, Crimmigration Law Lecture Series, “Crimmigration and Race.” Denver, CO (March 3, 2016).
- “Donald Trump’s Threat to Justice Reform.” THE CRIME REPORT (December 15, 2015) (<http://www.thecrimereport.org/viewpoints/2015-12-donald-trumps-threat-to-justice-reform>).
- “Sanctuary City Narratives.” (Panelist).<sup>[SEP]</sup> Symposium: “Crimmigration: At the Border of Criminal Justice and Deportation.” New England Law. Boston, MA (Nov. 5, 2015).

- “Law Practice and Social Change in the Academy.” (Panelist). 2015 Emerging Immigration Scholars’ Conference. University of Miami School of Law. Miami, FL (June 12, 2015).
- “From the Ivory Tower to the Courtroom: Academic Writing for Social Justice in the ‘New Normal.’” (Panelist). Association of American Law Schools, 2015 Conference on Clinical Legal Education. Palm Springs, CA (May 7, 2015).
- “Deconstructing the Crimmigration Pipeline.” (Panelist). Symposium: “CrImmigration: Crossing the Border Between Criminal Law and Immigration Law.” University of Denver Sturm College of Law. Denver, CO (Feb. 6, 2015).
- “Teaching Student Lawyers to Maintain Client-Centered Ethics in a Hostile Tribunal.” (With Robin Walker Sterling). Mountain West Regional Clinical Conference. University of Denver Sturm College of Law. Denver, CO (Oct. 24, 2014).
- “Teaching Crimmigration Law.” (Panelist). Society of American Law Teachers 2014 Teaching Conference. University of Nevada Las Vegas – William S. Boyd School of Law. Las Vegas, NV (Oct. 10, 2014).
- “Crimmigration: Artesia and Karnes.” (Panelist). University of Denver, Korbel Center for Latin American Studies, “Humanitarian Crisis in Immigration.” Denver, CO (Oct. 7, 2014).
- “Case Study on Crimmigration: Coming Together for Progress.” (Panelist). Rocky Mountain Social Justice Retreat. Denver, CO (Sept. 20, 2014).
- “From Slave Rendition to Criminal Rendition: The Role of Criminal Rendition in Preventing African-American Labor Migration from Kentucky After the Civil War.” Law and Society Association 2014 Annual Conference. Minneapolis, MN (May 28, 2014).
- Works in progress commentator. Immigration Professors Workshop. University of California—Irvine School of Law. Irvine, CA (May 24, 2014).
- “An Empirical Evaluation of DHS’s Internal Reforms to the Secure Communities Program.” Immigration Professors Workshop. University of California—Irvine School of Law. Irvine, CA (May 22, 2014).
- “Crimmigration and the Evolving Immigration Enforcement Landscape.” (Panelist). “Crimmigration Law and Policy Workshop: Immigration Detainers.” University of Denver Sturm College of Law, Denver, CO. (March 29, 2014).
- Workshop organizer: “Crimmigration Law and Policy Workshop: Immigration Detainers.” University of Denver Sturm College of Law, Denver, CO. (March 29, 2014).

- “Resistance to Secure Communities Continues to Grow—King County (Washington) Passes Ordinance Restricting Immigration Detainer Compliance”  
IMMIGRATIONPROF BLOG (December 6, 2013)  
(<http://lawprofessors.typepad.com/immigration/2013/12/resistance-to-secure-communities-continues-to-growking-county-washington-passes-ordinance-restrictin.html>).
- “‘Crimmigration’ and the Right to Counsel at the Border between Civil and Criminal Proceedings.” Symposium: “Fifty Years of *Gideon*: The Past, Present and Future of the Right to Counsel.” University of Iowa College of Law. Iowa City, IA (October 18, 2013).
- “Massachusetts High Court Breathes New Life into *Padilla* in *Commonwealth v. Sylvain*.”  
CRIMMIGRATION (September 16, 2013)  
(<http://crimmigration.com/2013/09/16/mass-high-court-breathes-new-life-into-padilla-in-commonwealth-v-sylvain.aspx>).
- Co-director of Critical Race Theory reading group. University of Denver Sturm College of Law. Denver, CO (with Nancy Ehrenreich, August-December 2013).
- “Using Student Role Models to Establish Aspirational Professional Identity Goals and Develop Self-Evaluation Criteria.” Association of American Law Schools, 2013 Conference on Clinical Legal Education. San Juan, Puerto Rico (co-presented with D. Christopher Dearborn and Robin Walker Sterling, May 1, 2013).
- “Beyond *Padilla*.” Symposium: “Navigating the Complexities of Our Melting Pot: How Immigration Affects Legal Representation.” University of Tennessee College of Law. Knoxville, TN (April 12, 2013).
- “Symposium: *Chaidez*—Ignoring Precedent and Procedural Posture.” CRIMMIGRATION (February 26, 2013) (<http://crimmigration.com/2013/02/26/chaidez-ignoring-precedent--procedural-posture.aspx>).
- “The Civil Rights Consequences of State and Local Responses to Immigration and Immigrants.” (Panelist selected from call for papers). Annual Meeting of the Association of American Law Schools, Joint Program of Sections on Civil Rights and Immigration Law. New Orleans, LA (January 5, 2013).
- “Litigating Immigration Detainers.” (Panelist). Immigration Litigation Roundtable. Yale Law School, New Haven, CT (December 1, 2012).
- “Civil Rights, Immigration Rendition, and *Arizona v. United States*.” (Informal discussion meeting). American Constitution Society, Civil Rights Committee. Yale Law School, New Haven, CT (November 30, 2012).

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- “Symposium: *Chaidez*—An Opportunity for the Court to Continue its Path Away From ‘Antiretroactivity’ and Toward ‘Redressability.’” CRIMMIGRATION (November 5, 2012) (<http://crimmigration.com/2012/11/05/symposium-chaidezan-opportunity-for-the-court-to-continue-its-path-away-from-antiretroactivity-and-toward-redressability.aspx>).
- “Client-Centered Representation through Cross-Cultural Competence.” (With Profs. Rashmi Goel and Robin Walker Sterling). Inclusive Excellence Series. University of Denver Sturm College of Law. Denver, CO (November 5, 2012).
- “Symposium: *Chaidez* and the Crumbling Foundations of the *Teague* Rule.” CRIMMIGRATION (November 1, 2012) (<http://crimmigration.com/2012/11/01/chaidez-and-the-crumbling-foundations-of-the-teague-rule.aspx>).
- “*Arizona* and Immigration Detainers.” Rocky Mountain Junior Scholars Forum. S.J. Quinney College of Law at the University of Utah. Salt Lake City, UT (September 28, 2012).
- “Comparative Studies in Legal History.” (Chair/discussant). 2012 International Conference on Law and Society. Honolulu, HI (June 7, 2012).
- “Rendition Resistance.” 2012 International Conference on Law and Society. Honolulu, HI (June 7, 2012).
- “Immigration Detainers and the Fourth Amendment.” Immigration Law Teachers Workshop. Maurice A. Deane School of Law, Hofstra University. Hempstead, NY (June 1, 2012).
- “The Decency of Death: Analyzing the evolving standards of cruel and unusual punishment in the death penalty.” (Panelist). University of Denver Sturm College of Law. Denver, CO (April 11, 2012).
- “Immigration Control: The Impact of Immigration Detainers.” (With Prof. Scot Johns). University of Denver Sturm College of Law. Denver, CO (March 9, 2012).
- Letter to House Judiciary Committee, “Tenth Amendment concerns relating to the Scott Gardner Act.”<sup>11</sup><sub>SEP</sub> (Letter on behalf of immigration and constitutional law scholars) (March 6, 2012).
- “Considering the Precedents for Immigration Detainers: Fugitive Slave Rendition and Criminal Rendition.” Seattle University School of Law. Seattle, WA (February 13, 2012).
- Harvard Trial Advocacy Workshop. (Faculty member). Harvard Law School. Boston, MA (January 2012).

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“Guest Post: A New Take on States’ Rights: Can Local Governments Opt Out of Federal Immigration Enforcement?” IMMIGRATIONPROF BLOG (November 10, 2011) (<http://lawprofessors.typepad.com/immigration/2011/11/guest-post-a-new-take-on-states-rights-can-local-governments-opt-out-of-federal-immigration-enforcem.html>).

“Immigration Detainers.” (Guest lecturer). University of Colorado (Boulder) Law School, Criminal Defense Clinic class. Boulder, CO (September 2011).

“At SEA (Sympathy, Empathy, and Apathy): Teaching Students to Distinguish Between and Strategically Select Modes of Communication.”<sup>[SEP]</sup> Association of American Law Schools, 2011 Conference on Clinical Legal Education. Seattle, WA (co-presented with Patience Crowder and Robin Walker Sterling, June 2011).

“Clinical Methodology and the Case for Simulations.”<sup>[SEP]</sup> Modern Learning Colloquium. University of Denver Sturm College of Law. Denver, CO (co-presented with Robin Walker Sterling, March 2011).

Co-director of reading group, Constitutional Rights and Remedies Program. University of Denver Sturm College of Law. Denver, CO (with Justin Marceau, February-May 2011).

Harvard Trial Advocacy Workshop. (Faculty member). Harvard Law School. Boston, MA (January 2011).

Works in progress commentator. *LatCrit* XV. Denver, CO (October 2010).

“Plea Bargaining in Criminal Cases.” (Guest lecturer). Northeastern School of Law, Negotiation class. Boston, MA (August 2009).

“The Door Stop: *Haywood v. Drown* Keeps State Courts Open (For Now).” American Constitution Society, ACSBLOG. (available at <http://www.acslaw.org/node/13518> and <http://www.acslaw.org/node/13519>) (with Giovanna Shay, June 2009).

“Prison Clinics and Criminal Defense Clinics.” (Panelist). Yale Law School, Liman Reading Group. New Haven, CT (April 2009).

“Retroactivity in Criminal Postconviction Proceedings.” (Guest lecturer). Western New England College School of Law, Postconviction Rights and Procedures class. Springfield, MA (March 2009).

“Workshop on Methods for the Teaching of Law.” (Two-week workshop). Instituto Tecnológico Autónomo de México. Mexico City, Mexico (July 2007).

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“Criminal Justice in Developing Countries.” (Panelist). Yale Law School, Global Conversations Series. New Haven, CT (April 2007).

“Defending the Indefensible.” (Panel moderator). Yale Law School, Rebellious Lawyering Conference. New Haven, CT (February 2007).

### **TRAININGS AND CONTINUING LEGAL EDUCATION**

“Litigating Immigration Detainer Issues.” (With Mark Fleming, National Immigrant Justice Center). National Immigration Project of the National Lawyers Guild CLE, “Challenges to Immigration Detention.” Chicago, IL (September 3, 2014).

“Constitutional Issues: Useful Information for Practitioners.” (CLE presentation, with Hans Meyer). Colorado Bar Association. Denver, CO (November 2013).

“Teaching Client-Centered Counseling and Cross-Cultural Competence.” (With Prof. Robin Walker Sterling). University of Denver Sturm College of Law. Denver, CO (November 5, 2012).

“Immigration Detainers.” (Panelist). National Immigration Project of the National Lawyers Guild Spring Continuing Legal Education Event. Denver, CO (April 11, 2012).

Kentucky Department of Public Advocacy, Death Penalty Institute. (Faculty member and small group coach). Lexington, KY (March 2012).

“Immigration Detainers.” (CLE presentation). Colorado Bar Association. Denver, CO (November 2011).

“Summer Training Institute.” (Faculty member for three days of two-week training). Southern Public Defender Training Center. Birmingham, Alabama (August 2011).

“Jury Instructions – The Second Closing Argument.” (CLE presentation). Colorado Criminal Defense Bar. Denver, CO (July 2011).

“Train the Trainers.” (Faculty member, three-day training seminar). Office of the Colorado State Public Defender. Denver, CO (March 2011).

“The New ICE Age: A Panel Discussion on the Expanding use of Immigration Detainers by U.S. Immigration and Customs Enforcement.” (CLE presentation, panelist). Colorado Bar Association. Denver, CO (November 2010).

“Using Simulations to Teach Substantive Law, Skills, Ethics, and Professionalism.” (CLE presentation). University of Denver Sturm College of Law. Denver, CO (with Patience Crowder, October 2010).

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“Litigating Issues Related to Immigration Detainers.” (CLE presentation). New Mexico State Bar Foundation Center for Legal Education Seminar on Immigrant Rights. Albuquerque, NM (October 2009).

“Addressing State and Federal Interests for Immigrants in Custody.” (CLE presentation, panelist). New Mexico State Bar Foundation Center for Legal Education Seminar on Immigrant Rights. Albuquerque, NM (October 2009).

“Ensuring we have Properly Relied on the State and Federal Constitution and Effectively Addressed the Unpreserved Issue.” Department of Public Advocacy, Appellate Litigation Conference. Frankfort, KY (February 2008). Also instructed small group.

“What State Postconviction Lawyers Need to Know about Federal Habeas Corpus.” Office of the Chief Public Defender, State Habeas Training Seminar. Hartford, CT (April 2007).

## SERVICE

### *Committee Work*

Advisory Committee, Fourth-year Review of Tenure-Track Assistant Professor. University of Denver Sturm College of Law. Denver, CO (September 2016-May 2017).

Law Dean Search Committee. University of Denver. Denver, CO (September 2015-May 2016).

Advisory Committee, Candidate for Promotion to Full Professor. University of Denver Sturm College of Law. Denver, CO (September 2015-May 2016).

Advisory Committee, Candidate for Promotion to Associate Professor with Tenure. University of Denver Sturm College of Law. Denver, CO (September 2015-May 2016).

Promotion and Tenure Committee. University of Denver Sturm College of Law. Denver, CO (August 2014-May 2015).

Tenured Faculty Performance Review Committee. University of Denver. Denver, CO (May 2014-May 2015).

Modern Learning Committee. University of Denver Sturm College of Law. Denver, CO (April 2014-December 2014).

Post-Tenure Review Exploration Committee. University of Denver. Denver, CO (Nov. 2013-May 2014).

Appointments Committee. University of Denver Sturm College of Law. Denver, CO (August 2012-May 2013).



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Faculty Executive Committee (elected). University of Denver Sturm College of Law. Denver, CO (June 2011-May 2015, chair Fall 2012, AY 2013-14, AY 2014-15).

Self-Study Committee. University of Denver Sturm College of Law. Denver, CO (August 2010-June 2012).

### *Other Service*

“Ferguson: Questions and Answers.” (With Robin Walker Sterling). Denver Urban Debate League Double-Header. University of Denver Sturm College of Law. Denver, CO (co-presented with Robin Walker Sterling, March 2011).

ACLU of Colorado Legal Panel. Denver, CO (October 2010-present).

Brief grader, Thomas Tang Moot Court Competition. University of Denver Sturm College of Law. Denver, CO (October 2012).

Judge, Denver Urban Debate League, University of Denver Sturm College of Law. Denver, CO (March 2011).

Judge, Student Trial Lawyers Association Mock Trial Program. University of Denver Sturm College of Law. Denver, CO (October 2010).

### **AMICUS BRIEFS**

*Rodrigo Esparza, et al. v. Nobles Cnty., et al.*, No. A18-2011 (Minn. App.). Brief of Law Professors and National Immigrant Justice Center as *Amici Curiae* in Support of Respondents (Mar. 13, 2019) (with Mark Fleming and Katherine Melloy Goettel) (arguing that arrest by state law enforcement officers based on detainer and administrative warrant issued by federal immigration officials, and/or detention pursuant to intergovernmental services agreement (IGSA) lacked authority under state law and Immigration and Nationality Act).

*Orellana Castaneda, et al. v. Cnty. of Suffolk, et al.*, No. 2:17-cv-4267-JFB-ARL (E.D.N.Y.). Brief of Professors and Immigration-Focused Civil Rights Organizations as *Amici Curiae* in Support of Plaintiffs’ Opposition to Defendants’ Motion to Dismiss (Nov. 5, 2018) (with Mark Fleming and Katherine Melloy Goettel) (arguing that arrest by state law enforcement officers based on detainer and administrative warrant issued by federal immigration officials, and detention pursuant to intergovernmental services agreement (IGSA), was preempted and in violation of state law and Fourth Amendment).

*Rodrigo Esparza, et al. v. Nobles Cnty., et al.*, No. 53-cv-18-751 (Minn. Dist. Ct., 5th Judicial Dist.). Brief of Law Professors and National Immigrant Justice Center as *Amici Curiae* in Support of Plaintiffs (Sep. 18, 2018) (with Mark Fleming and Katherine Melloy Goettel) (arguing that arrest by state law enforcement officers based on detainer and

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administrative warrant issued by federal immigration officials, and/or detention pursuant to intergovernmental services agreement (IGSA) lacked authority under state law and Immigration and Nationality Act).

*Andres Felipe Florez Rojas v. Suffolk Cnty. Sheriff's Office, et al.*, No. 2018-05428 (N.Y. App. Div., 2d Dep't). Brief of Law Professors and National Immigrant Justice Center as *Amici Curiae* in Support of Plaintiff-Appellant (Sep. 12, 2018) (with Mark Fleming and Katherine Melloy Goettel) (arguing that arrest by state law enforcement officers based on detainer and administrative warrant issued by federal immigration officials, and/or detention pursuant to intergovernmental services agreement (IGSA) lacked authority under state law and Immigration and Nationality Act).

*People ex rel. Susai Francis v. DeMarco, Sheriff of Suffolk Cnty.*, No. 2017-12806 (N.Y. App. Div., 2d Dep't). Brief of Law Professors and National Immigrant Justice Center as *Amici Curiae* in Support of Petitioner (Jan. 30, 2018) (with Mark Fleming and Katherine Melloy Goettel) (arguing that arrest by state law enforcement officers based on detainer and administrative warrant issued by federal immigration officials, and/or detention pursuant to intergovernmental services agreement (IGSA) lacked authority under Immigration and Nationality Act).

*Andres Felipe Florez Rojas v. Suffolk Cnty. Sheriff's Office, et al.*, No. 2017-13213 (N.Y. App. Div., 2d Dep't). Brief of Law Professors and National Immigrant Justice Center as *Amici Curiae* in Support of Plaintiff-Appellant (Jan. 8, 2018) (with Mark Fleming and Katherine Melloy Goettel) (arguing that arrest by state law enforcement officers based on detainer and administrative warrant issued by federal immigration officials, and/or detention pursuant to intergovernmental services agreement (IGSA) lacked authority under Immigration and Nationality Act).

*City of Chicago v. Jefferson Beauregard Sessions III*, No. 17-2991 (7<sup>th</sup> Cir.). Brief *Amici Curiae* of Administrative Law, Constitutional Law, and Immigration Law Scholars in Support of Plaintiff-Appellee (Jan. 4, 2018) (with Seth Davis and Annie Lai) (arguing that Attorney General's unilateral imposition of new grant conditions violates Spending Clause and separation of powers and improperly conflates immigration and crime control to attach immigration-related conditions not germane to law enforcement grants).

*Arturo Valerio-Gonzalez v. Jason Jarrett*, No. OP 17-0659 (Mont.). *Amici Curiae* Brief in Support of Petitioner's Petition for Writ of Habeas Corpus (Dec. 11, 2017) (with Mark Fleming) (arguing that arrest by state law enforcement officers based on detainer and administrative warrant issued by federal immigration officials lacked authority under both Immigration and Nationality Act and Montana law).

*State of California v. Jefferson Beauregard Sessions III, et al.*, No. 3:17-cv-04701 (N.D. Cal.). Brief *Amici Curiae* of Administrative Law, Constitutional Law, and Immigration Law Scholars in Support of Plaintiff's Motion for a Preliminary Injunction (Nov. 29, 2017) (with Seth Davis and Annie Lai) (arguing that Attorney General's unilateral imposition

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of new grant condition violates Spending Clause and separation of powers and improperly conflates immigration and crime control to attach immigration-related conditions not germane to law enforcement grants).

*Antonio Sanchez Ochoa v. Ed W. Campbell, Director of Yakima County Department of Corrections, et al.*, No. 17-35679 (9<sup>th</sup> Cir.). Brief of Law Professors and Immigration-Focused Civil Rights Organizations as *Amici Curiae* in Support of Affirmance (Nov. 1, 2017) (with Mark Fleming) (arguing that arrest by state law enforcement officers based on administrative warrant issued by federal immigration officials was preempted and violated Fourth Amendment).

*City of El Cenizo, Texas, et al. v. State of Texas, et al.*, No. 17-50762 (5<sup>th</sup> Cir.). Consented to Brief of Professors, Immigration-Focused Civil Rights Organizations, and Other Impacted Organizations as *Amici Curiae* in Support of Affirmance (Oct. 20, 2017) (with Mark Fleming) (arguing that provision of Texas's Senate Bill 4 requiring Texas officials to make civil immigration arrests by fulfilling all detainer requests made by federal immigration officials is preempted and violates Fourth Amendment).

*City of Philadelphia v. Jefferson Beauregard Sessions III*, No. 2:17-cv-03894 (E.D. Pa.). Brief *Amici Curiae* of Administrative Law, Constitutional Law, and Immigration Law Scholars in Support of Plaintiff's Motion for a Preliminary Injunction (Oct. 19, 2017) (with Caitlin Barry, Seth Davis, and Annie Lai) (arguing that Attorney General's unilateral imposition of new grant conditions violates Spending Clause and separation of powers and improperly conflates immigration and crime control to attach immigration-related conditions not germane to law enforcement grants).

*City of Chicago v. Jefferson Beauregard Sessions III*, No. 1:17-cv-05720 (N.D. Ill.). Brief *Amici Curiae* of Administrative Law, Constitutional Law, and Immigration Law Scholars in Support of Plaintiff's Motion for a Preliminary Injunction (Aug. 31, 2017) (with Seth Davis and Annie Lai) (arguing that Attorney General's unilateral imposition of new grant conditions violates Spending Clause and separation of powers and improperly conflates immigration and crime control to attach immigration-related conditions not germane to law enforcement grants).

*Duncan Roy v. County of Los Angeles, et al.*, No. 2:12-cv-09012 (C.D. Cal.). Brief of Law Professors as *Amici Curiae* in Support of Plaintiffs' Motion for Summary Adjudication (Aug. 23, 2017) (with Annie Lai) (arguing that local authorities requested by means of federal immigration detainers to prolong the detention of prisoners who would otherwise be entitled to release may comply only if such detentions are authorized by both the Immigration and Nationality Act and by local law, and that the word "detainer" as used in Section 287(d) of the Immigration and Nationality Act does not envision such prolonged detention, but instead only addresses whether federal immigration officials would receive notice of the impending release of such prisoners).

*Sreynuon Lunn v. Commonwealth*, No. SJC-12276 (Mass.). Brief for Immigration Legal Academics as *Amici Curiae* (March 20, 2017) (arguing that local authorities requested

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by means of federal immigration detainers to prolong the detention of prisoners who would otherwise be entitled to release may comply only if such detentions are authorized by both the Immigration and Nationality Act and by local law, and that the word “detainer” as used in Section 287(d) of the Immigration and Nationality Act does not envision such prolonged detention, but instead only addresses whether federal immigration officials would receive notice of the impending release of such prisoners).

*Jimenez Moreno v. Napolitano*, No. 1:11-cv-05452 (N.D. Ill.). Brief of Law Professors as *Amici Curiae* in Support of Plaintiffs’ Motion for Summary Judgment (Jan. 22, 2016) (arguing that the word “detainer” as used in Section 287(d) of the Immigration and Nationality Act does not envision prolonging the detention of prisoners who would otherwise be entitled to release, but only addresses the issue of whether federal immigration officials would receive notice of the impending release of such prisoners).

*Jose Espino-Paez v. People*, No. 14SC957 (Colo.). Brief of *Amici Curiae*, Colorado Legal Academics and the National Immigration Project of the National Lawyers Guild, in Support of Petitioner Jose Espino-Paez (Dec. 15, 2015) (arguing that Rule 32 of the Colorado Rules of Criminal Procedure provides a vehicle for withdrawing guilty plea with immigration consequences, even after dismissal of criminal charges pursuant to successful completion of deferred judgment) [presented oral argument on behalf of *amici* on Nov. 10, 2016].

*Jose Jesus Mercado Ramirez v. Holder*, No. 14-72415 (9<sup>th</sup> Cir.). Brief of *Amicus Curiae* National Association of Criminal Defense Lawyers in Support of Petitioner (Mar. 31, 2015) (arguing that decisions of the Ninth Circuit and Board of Immigration Appeals should not be applied retroactively to bar petitioner, whose guilty plea predated decisions, from the relief of cancellation of removal).

*Jose Antonio Gonzalez Verduzco v. State of Oregon*, No. S062339 (Oregon Supreme Court). Brief of *Amici Curiae* Oregon Legal Academics and the Oregon Justice Resource Center in Support of Brief on the Merits of Petitioner on Review (Oct. 2, 2014) (arguing Oregon should not apply *Teague* rule in state postconviction proceedings to deny redress for violation of constitutional rule set forth in *Padilla v. Kentucky*).

*In re Personal Restraint Petitions of Muhammadou Jagana and Yung-Chen Tsai*, Nos. 88770-5 and 89992-4 (Wash. Supreme Court). Law Professors’ Amicus Brief in Support of Petitioners (Sept. 4, 2014) (arguing Washington should not apply *Teague* rule in state postconviction proceedings to deny redress for violation of constitutional rule set forth in *Padilla v. Kentucky*).

*People v. Roman Baret*, No. APL-2013-00157 (N.Y. Ct. of Appeals). Brief of New York Legal Academics as *Amici Curiae* in Support of Defendant-Appellee (Mar. 11, 2014) (arguing New York should not apply *Teague* rule in state postconviction proceedings to deny redress for violation of constitutional rule set forth in *Padilla v. Kentucky*).

*Emmanuel Thiersaint v. Comm’r of Correction*, No. SC19134 (Conn. Supreme Court). Brief of *Amici Curiae* Legal Academics (Dec, 6, 2013) (arguing Connecticut should not apply

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*Teague* rule in state habeas proceedings to deny redress for violation of constitutional rule set forth in *Padilla v. Kentucky*).

*Martinez Ramirez v. State*, No. 33,604 (N.M. Supreme Court). Brief for New Mexico Legal Academics and the National Immigration Project of the National Lawyers Guild as *Amici Curiae* (Sept. 11, 2013) (arguing New Mexico should not apply *Teague* rule in state postconviction proceedings to deny redress for violation of constitutional rule set forth in *Padilla v. Kentucky*).

*Ivan DeJesus Chapa v. United States of America*, No.11-13722 (11<sup>th</sup> Cir.). Brief of Law Professors as *Amici Curiae* in Support of Petitioner-Appellant and in Support of Rehearing and Reversal (May 17, 2013) (arguing federal courts should not apply *Teague* rule in proceedings under § 2255 to deny redress for ineffective assistance of counsel claim).

*Commonwealth v. Kempess Sylvain*, No. SJC-11400 (Mass. Supreme Judicial Court). Brief for Massachusetts Legal Academics as *Amici Curiae* (April 22, 2013) (arguing Massachusetts should not apply *Teague* rule in state postconviction proceedings to deny redress for violation of constitutional rule set forth in *Padilla v. Kentucky*).

*Galarza v. County of Lehigh*, No. 12-3991 (3d Cir.). Brief of Law Professors as *Amici Curiae* in Support of Appellant and in Support of Reversal (March 26, 2013) (arguing immigration detainers cannot require state and local officials to prolong detention of prisoners who would otherwise be entitled to release).

## PRACTICE EXPERIENCE

**Goodwin & Lasch, PSC.** Louisville, KY. Partner, July 2000 to December 2008.

Represented criminal clients at trial level in state and federal court, on appeal (over forty appeals handled), and in state postconviction (seven evidentiary hearings) and federal habeas corpus proceedings (two evidentiary hearings). Cases included capital matters. Represented clients in civil rights litigation (over 20 cases filed). Tried criminal and civil cases to a jury. Served as court-appointed counsel for indigent defendants through Kentucky's state public defender system and in federal court pursuant to the Criminal Justice Act.

**Jefferson District Public Defender.** Louisville, KY. Assistant District Defender, February 1997 to October 1999; Law Clerk, August 1996 to February 1997.

Served in Adult Trial Division, February 1997 to December 1997 and September 1999 to October 1999; and in Capital Trial Division, January 1998 to September 1999. Represented hundreds of indigent clients facing charges ranging from

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disorderly conduct to murder. Represented seven clients charged with crimes making them eligible for the death penalty. Extensive practice in all aspects of trial-level defense. As a law clerk, assisted in representation of death-row inmate in state postconviction proceedings.

**Prisons Clinic, Jerome N. Frank Legal Services Organization, Yale Law School.** New Haven, CT. Law Student Intern, Spring 1996.

Represented prisoners in state habeas corpus, tort, and federal civil rights actions.

**Public Defender Service.** Washington, DC. Volunteer summer Law Clerk, July 1995 to August 1995.

Assisted attorney representing indigent felony clients.

**United States Department of Justice, Antitrust Division.** Washington, DC. Summer Intern, May 1995 to July 1995.

Conducted legal research and prepared memoranda relating to ongoing investigation.

**Colorado Supreme Court.** Denver, CO. Summer Intern, May 1994 to June 1994.

Wrote memoranda evaluating petitions for certiorari.

### EXAMPLES OF SIGNIFICANT LITIGATION

*Mills v. Commonwealth*, No. 95-CR-98 (Knox Circuit Court, Kentucky, August 2011) (unpublished), *aff'd*, *Mills v. Commonwealth*, 2011-SC-000541-MR, 2014 WL 2809790 (Ky. June 19, 2014), *reh'g denied* (Oct. 23, 2014), *cert. denied sub nom. Mills v. Kentucky*, 135 S. Ct. 1711, 191 L. Ed. 2d 684 (2015) (trial court's order vacating death sentence, due to trial counsel's demonstrated ineffective assistance of counsel with respect to investigation and presentation of mitigating evidence).

*McElrath v. Simpson*, 595 F.3d 624 (6<sup>th</sup> Cir. 2010) (granting writ of habeas corpus and vacating judgment and 52-year-sentence, due to trial counsel's demonstrated conflict of interest).

*Mills v. Commonwealth*, 170 S.W.3d 310 (Ky. 2005) (reversing trial court's denial of relief in capital case and remanding for evidentiary hearing on both guilt-phase and penalty-phase claims).

*Mills v. Messer*, 254 S.W.3d 814 (Ky. 2008) and *Mills v. Messer*, 268 S.W.3d 366 (Ky. 2008) (recognizing capital inmate's entitlement to procedures for obtaining expert funding and for compelling attendance of out-of-state witnesses).

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*Hodge v. Commonwealth*, 2006 WL 2708535 (unpublished) (Ky. 2006) (reversing conviction and life sentence of juvenile).

*Robertson v. Commonwealth*, 177 S.W.3d 789 (Ky. 2005) (establishing applicability of equitable tolling principles to state postconviction filings).

*Thomas v. Commonwealth*, 170 S.W.3d 343 (Ky. 2005) (reversing first-degree assault conviction; client acquitted on retrial).

*Albarado v. Kentucky Racing Com'n*, 496 F. Supp. 2d 795 (W.D. Ky. 2004) (enjoining enforcement of racing regulation as violative of jockeys' First Amendment rights).

*McLane v. Commonwealth*, No. 2000-CA-2422 (Ky. App. 2002) (reversing denial of postconviction relief and remanding for evidentiary hearing; postconviction relief granted on remand and client acquitted on retrial).

### PRESS

Malcolm Maclachlan, *Can state ban migrant court arrests?* S.F. DAILY JOURNAL (Mar. 22, 2019).

Fred Barbash, *Renewed Trump 'sanctuary cities' crackdown ruled illegal*, WASH. POST (Mar. 5, 2019), [https://www.washingtonpost.com/world/national-security/renewed-trump-sanctuary-cities-crackdown-ruled-illegal/2019/03/05/19274ee4-3f58-11e9-a0d3-1210e58a94cf\\_story.html?utm\\_term=.8801c1f6a13d](https://www.washingtonpost.com/world/national-security/renewed-trump-sanctuary-cities-crackdown-ruled-illegal/2019/03/05/19274ee4-3f58-11e9-a0d3-1210e58a94cf_story.html?utm_term=.8801c1f6a13d).

Amelia Thomson-DeVaux, *Trump Is Losing The Legal Fight Against Sanctuary Cities, But It May Still Pay Off Politically*, FIVETHIRTYEIGHT (Feb. 20, 2019), <https://fivethirtyeight.com/features/trump-is-losing-the-legal-fight-against-sanctuary-cities-but-it-may-still-pay-off-politically/>.

American Bar Association, the JustPod, "Putting ICE on Ice" (Jan. 26, 2019), <https://open.spotify.com/episode/5lXuKhNByQKzCArxIO76A5>.

"Judge and prosecutor agree: ICE arrests at courthouses threaten justice." AMERICAN BAR ASSOCIATION (Jan. 26, 2019), <https://www.americanbar.org/news/abanews/aba-news-archives/2019/01/judge-and-prosecutor-agree--ice-arrests-at-courthouses-threaten-/>.

Natalie V. Navarro, *The Immigration System Is A Challenge Without A Lawyer. Denver Wants To Change That*, COLORADO PUBLIC RADIO (Dec. 18, 2018), <http://www.cpr.org/news/story/denver-funds-lawyers-for-the-citys-immigrant-population>.

Sarah Willets, *Durham Officials Want to Make Sure No One Ends Up in Immigration Detention Because of Local Policies. Someone Should Tell the Sheriff*. INDYWEEK

(Sep. 5, 2018), <https://www.indyweek.com/indyweek/durham-officials-want-to-make-sure-no-one-ends-up-in-immigration-detention-because-of-local-policies-someone-should-tell-the-sheriff/Content?oid=17605136>.

Malcolm Maclachlan, *Law would ban ICE in state courts*, S.F. DAILY JOURNAL (Aug. 30, 2018), <https://www.callawyer.com/articles/349006-state-bill-aimed-to-barring-court-house-arrests-could-set-up-showdown-with-trump-administration>.

Jess Krochtengel, *Texas Sanctuary Lawsuit Unlikely to Find New Life*, LAW360 (Mar. 16, 2018), [https://www.law360.com/immigration/articles/1022886/texas-sanctuary-city-lawsuit-unlikely-to-find-new-life?nl\\_pk=35f9805f-cd6b-4268-9064-0bb794f103b7&utm\\_source=newsletter&utm\\_medium=email&utm\\_campaign=immigration](https://www.law360.com/immigration/articles/1022886/texas-sanctuary-city-lawsuit-unlikely-to-find-new-life?nl_pk=35f9805f-cd6b-4268-9064-0bb794f103b7&utm_source=newsletter&utm_medium=email&utm_campaign=immigration).

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## BAR ADMISSIONS

U.S. Supreme Court; U.S. Court of Appeals (Second, Third, Fourth, Sixth, Ninth, Tenth, and Eleventh Circuits); U.S. District Court (Eastern District of Kentucky; Western District of Kentucky; Southern District of Indiana; District of Connecticut; District of Colorado); Connecticut, Colorado, Kentucky, and New York state courts.