

**NIELS W. FRENZEN**

**University of Southern California  
Gould School of Law  
University Park Campus  
Los Angeles, California  
90089-0071  
USA**

**+1-213-740-8933 (office telephone)  
+1-213-740-5502 (office fax)  
nfrenzen@law.usc.edu**

**Academic Positions**

University of Southern California, Gould School of Law (Los Angeles)  
Clinical Professor of Law and Director of Immigration Clinic, 2006-present  
Clinical Associate Professor and Director of Immigration Clinic, 2002–2006  
Clinical Assistant Professor and Director of Immigration Clinic, 2000–2002  
Adjunct Professor, Fall 1998, Fall 1999

Courses Taught:      US Immigration Law  
                         Immigration Clinic (focus on asylum and Torture Convention)  
                         Terrorism and Law Seminar

University of California, Los Angeles (UCLA), School of Law  
Visiting Professor, Spring 2004, Spring 2006  
Adjunct Professor, Spring 1997, Fall 1997

Southwestern Law School (Los Angeles)  
Adjunct Professor, Fall 1995

**Work Experience**

Public Counsel (Los Angeles)  
Directing Attorney, Immigrants' Rights Project, 1987-2000

Haitian Refugee Center (Miami)  
Supervising Attorney, 1985-1987

Iowa Civil Liberties Union (Des Moines, Iowa)  
Legislative Coordinator, 1983-1985

**Education**

Drake University, Law School, Des Moines, Iowa, J.D. (Doctor of Jurisprudence), 1985

Beloit College, Beloit, Wisconsin, B.A. (French) (Bachelor of Arts), 1981

## **Education, continued**

Université Rennes 2 – Haute Bretagne, Rennes, France, Spring 1979, Spring 1982

## **Bar Membership**

State Bar of California (admitted 1988 / active status)  
Law Society of England and Wales (admission to Role scheduled for May 2006)  
The Florida Bar (admitted 1985 / inactive)  
Iowa State Bar Association (admitted 1985 / inactive)  
United States Supreme Court (admitted 1990 / active status)  
Various US federal appellate and district courts

## **Organizational Affiliations**

Program for Torture Victims (Los Angeles)  
    President, 2005-present  
    Member, Board of Directors, 2003-2005

Florida Immigrant Advocacy Center (Miami)  
    Member, National Advisory Committee, 1996-present

Coalition for Humane Immigrants' Rights of Los Angeles  
    Member, Board of Directors, 2000-2001  
    President, 1993-2000

Vera Institute of Justice, Appearance Assistance Program (New York)  
    Member, Advisory Board, 1998-2000  
    Invited Participant, Advisory Board, 1998

El Rescate / El Rescate Legal Services, Inc. (Los Angeles / San Salvador)  
    Member, Board of Directors, 1997-1998  
    President, 1991-1997

## **Professional Associations**

American Immigration Lawyers Association  
National Lawyers Guild, National Immigration Project  
Los Angeles County Bar Association  
American Bar Association

## **Citizenship**

Finland - European Union  
United States

## **Languages**

English (native language)

## **Languages, continued**

French (good spoken and reading ability)  
Haitian Creole (limited spoken ability)  
Spanish (limited spoken and limited reading ability)

## **Awards and Fellowships**

Fellow, Committee on Urban Problem Solving, Provost's Urban Initiative, University of Southern California, 2001-2002

Constitutional Rights Award, National Coalition to Protect Political Freedom, (recognized for work defending Iraqi immigrants accused of posing risk to US national security), April 2001

Lawyers of the Year, California Lawyer Magazine, (recognized by legal magazine as one of State of California's lawyers of the year), December 2000

Defense Lawyer Recognition, California Immigrant Workers Association, AFL-CIO, (recognized for work defending Mexican immigrant workers during statewide construction strike of 1992-93), September 1993

## **Legal Publications**

"Recent Developments on the INS' Use of Secret Evidence Against Aliens", Immigration & Nationality Law Handbook, 2001-02 Edition, Volume II, American Immigration Lawyers Association, Washington, DC, 2001 (co-author)

"National Security and Procedural Fairness: Secret Evidence and the Immigration Laws", Interpreter Releases: Report and Analysis of Immigration and Nationality Law, Vol. 76, No. 45, West Group, Washington, DC, Nov. 22, 1999

"Not in Their Best Interest: A Report on the US Government's Forcible Repatriation of Guantanamo's Unaccompanied Haitian Children", Florida Rural Legal Services, Miami, 1995 (contributor)

"Selected Evidentiary Issues Relating to Deportation Proceedings", Immigration & Nationality Law Handbook: Advanced Practice, Vol. II, American Immigration Lawyers Association, Washington, DC, 1994

"Selected Uses of the Habeas Corpus Petition", Immigration & Nationality Law Handbook: Advanced Topics, Vol. II, American Immigration Lawyers Association, Washington, DC, 1991

"El Salvador Under Siege: Report of Independent Legal Delegation to El Salvador", National Lawyers Guild & Central American Refugee Center, Los Angeles, 1990 (co-author)

"Cuban-Haitian Adjustment Provisions and IRCA", Legalization - The Advocate's Guide to the New Immigration Law, Immigrant Legal Resource Center, East Palo Alto, California, 1987

### **Legal Publications, continued**

"An Overview of Contesting Deportability", Contesting Deportability, National Immigration Project, Boston, 1987

### **Opinion/Newspaper Articles**

"INS Misses Mark in Nationwide Arrests", Los Angeles Times, December 24, 2002

"Funneling Immigrants to Their Deaths", Los Angeles Times, May 31, 2001

"INS Must Stop Using Secret Evidence", Los Angeles Times, December 21, 2000

"Who's a Citizen? Don't Ask INS", Los Angeles Times, March 26, 1997

"It's Not LAPD's Job to Ask Who is a Legal Resident", Los Angeles Times, December 20, 1996

"Evidence, Reason Support Haitian Advocates' Work", Miami Herald, July 14, 1995  
(co-author)

"A Case of Overkill to Curb Day Laborers", Los Angeles Times, January 25, 1994 (co-author)

"Los ninos haitianos victimas de la politica migratoria de Clinton", La Opinión (Los Angeles), December 25, 1994

"Do We Want to Be Like Kuwait? Denying Citizenship to the US-Born is Un-American", Los Angeles Times, August 12, 1993

"Los haitianos repatriados a merced de sus verdugos", La Opinión (Los Angeles), February 9, 1992

"Immigrants' Roundup Was a Dirty Trick - LAPD and INS Teamed Up Unjustly Under Cover of Crisis", Los Angeles Times, May 11, 1992

"Los campos de detencion de haitianos en Guantanamo", La Opinión (Los Angeles), December 13, 1991

"Refugiados de CA: razones muy validas para el asilo", La Opinión (Los Angeles), March 26, 1989

### **Presentations or Lectures**

"The Rights of Immigrants in Light of the Global Response to Terrorism", Journal on International Law and Foreign Affairs Symposium, UCLA School of Law, Los Angeles, March 2006

## **Presentations or Lectures, continued**

“Seeking Protection Under the Convention Against Torture”, Midyear Conference of the American Immigration Lawyers Association, Las Vegas, December 2005

“Recent Developments in the Implementation of the Convention Against Torture”, Annual Conference of the American Immigration Lawyers Association, Philadelphia, June 2004

“The USA Patriot Act”, Academic Honors Speakers Series, University of Southern California, February 2004

“Humanitarian Intervention and the War in Iraq”, School of Social Work Forum, University of Southern California, March 2003

“Immigration Laws and Civil Liberties”, Civil Liberties Conference, Institute for Justice and Journalism, Annenberg School of Communication, University of Southern California, March 2003

Terrorism and Civil Liberties Conference, Institute for Justice and Journalism, Annenberg School of Communication, University of Southern California, April 2003 (Served as Visiting Expert at three day conference and critiqued investigative story proposals presented by professional journalists)

“The INS’ Expanded Powers of Arrest”, California Conference, American Immigration Lawyers Association, Monterey, California, November 2002

“Suppression of Evidence in Immigration Court Removal Proceedings”, Annual Convention of the National Lawyers Guild, Pasadena, California, October 2002

“One Year After 9/11”, Student Bar Association, University of Southern California Law School, September 2002

“Constitutional and Statutory Rights of Foreign Students in the US”, National Convention of NAFSA: Association of International Educators (national organization of university foreign student advisors), San Antonio, Texas, May 2002

“Regulating Immigration in the Post-9/11 Era”, Population, Immigration, and Race Relations Conference, USC Southern California Studies Center, University of Southern California, April 2002

“Constitutional Rights of Non-Citizens”, National Fulbright Scholarship Conference, Santa Monica, California, March 2002

“The Immigration Law Provisions of the USA Patriot Act”, International Law Symposium, Whittier Law School, Costa Mesa, California, March 2002

### **Presentations or Lectures, continued**

“Immigration Law in Time of National Crisis”, Long Beach City College, Long Beach, California, February 2002

“Immigration Law in Time of National Crisis”, Multi-Cultural Center, University of California at Santa Barbara, January 2002

“Foreign Students and 9/11”, Regional Conference, NAFSA: Association of International Educators (national organization of university foreign student advisors), Palm Springs, California, November 2001

“Immigration Law in Time of National Crisis”, University of California at Irvine, November 2001

“Immigration Law in Time of National Crisis”, International Student Program, California Institute of Technology, Pasadena, California, November 2001

“The Immigration Provisions of USA Patriot Act”, Conference on the Uniting and Strengthening America By Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001, International Law Section, Los Angeles County Bar Association, Los Angeles, November 2001

“Immigration Law in Time of National Crisis”, Center on Feminist Research, University of Southern California, October 2001

“Immigration and National Security Laws”, South Asian Network, Artesia, California, October 2001

“Immigration Law in Time of National Crisis”, Center for Middle East Studies, University of California at Santa Barbara, October 2001

“Recent Immigration Decisions of the U.S. Supreme Court”, Annual Conference, U.S. Court of Appeals for the Ninth Circuit Pro Se Staff Attorney and Death Penalty Clerks, Scottsdale, Arizona, August 2001

"Recent Developments on the INS' Use of Secret Evidence Against Aliens", Annual Conference of the American Immigration Lawyers Association, Boston, June 2001

“Defending Clients in National Security Cases”, Midyear Conference, American Immigration Lawyers Association, Los Angeles, March 2001

“Recent Developments in Asylum Law”, California Training Conference, Public Law Institute, San Francisco, November 2000

## **Presentations or Lectures, continued**

“US Citizenship and Naturalization Law”, Union Nacional de Juristas de Cuba, Havana, November 1991

## **Field Projects**

Mexican Election Monitoring – Humanitarian Law Project  
Distrito Federal and Chiapas, Mexico, July 2000  
Distrito Federal, Mexico, July 1997

Foreign observer in Mexican federal and state elections on behalf of the Humanitarian Law Project, an NGO with UN consultative status. Accredited by Government of Mexico, Instituto Federal Electoral (“IFE”).

Tracking Haitian Children Forcibly Repatriated from US Naval Base Guantanamo – Florida Rural Legal Services, Haiti Project  
Haiti, March-May 1995

Lead investigator during three trips to Haiti to locate and assess situation of unaccompanied Haitian children forcibly repatriated by the US Government from detention camps at the US Naval Base, Guantanamo Bay, Cuba.

Guantanamo Detention Camp Conditions - Schell Center for International Human Rights, Yale Law School  
US Naval Base, Guantanamo Bay, Cuba, November 1994

Participant in fact-finding trip to US Naval Base at Guantanamo Bay, Cuba to inspect conditions of detention for detained Haitian refugees.

Conditions Under Military Rule in Haiti – National Lawyers Guild  
Haiti, October 1993

Member of human rights delegation to Haiti for purpose of monitoring repression directed at Haitian popular organizations in the period of time before deposed Haitian president was initially scheduled to be returned to power.

Interdiction of Haitian Boat People in International Waters - Amnesty International USA  
Windward Passage, International Waters, October 1992

Consultant to and participant in Amnesty International USA fact-finding mission in international waters between Haiti and Cuba to monitor U.S. government’s interdiction program that was halting and detaining Haitian refugees fleeing Haiti.

## **Field Projects, continued**

Conditions Under State of Siege (Estado de Sitio) in El Salvador - National Lawyers Guild  
El Salvador, February 1990

Member of human rights delegation to El Salvador during the 1990 State of Siege for purpose of documenting human rights conditions under the State of Siege imposed during and subsequent to FMLN offensive.

Fact Finding Mission to Las Hojas, El Salvador – El Rescate  
El Salvador, November 1987

Member of human rights delegation to El Salvador to interview survivors and gather evidence from private and official sources pertaining to 1983 Salvadoran Army massacre of 74 civilians at Las Hojas. See, *In Re: Victims and Families of Victims of the 1983 Massacre of Las Hojas, Sonsonate, El Salvador*, Informe No. 26/92, Caso No. 10.287, El Salvador (Inter-American Human Rights Commission, Organization of American States, Sept. 24, 1992).

Conditions Under Transitional Government in Haiti - International Association of Democratic Lawyers  
Haiti, May 1987

Member of two person delegation to Haiti which established contact with trade unions and popular organizations for purpose of identifying potential forms of assistance from the IADL.

## **Selected Cases**

*Karim, et al. vs. US Immigration & Naturalization Service*  
San Pedro (California) Immigration Court, Board of Immigration Appeals, 1997-2000

Lead counsel representing ten Iraqi citizens who were brought to the US by the U.S. Government and then subjected to deportation proceedings on the basis of classified national security information developed by the Central Intelligence Agency and the Federal Bureau of Investigation. Case involved two separate trials lasting in excess of 150 days in total. The litigation, Congressional oversight, and media coverage resulted in declassification of substantial amounts of classified evidence. All clients were ultimately released from custody.



## **Selected Cases, continued**

### *Central American Refugee Center vs. US Attorney General Janet Reno*

No. CV 93-4162, U.S. District Court, Central District California, 1993

Co-Lead Counsel in a class action challenging conditions in INS detention facilities in the Los Angeles area. Litigation lasted six years and contributed to issuance of nationwide detention standards and guidelines by the INS.

### *El Rescate Legal Services vs. Executive Office for Immigration Review, US Dept. of Justice*

727 F.Supp. 557, US District Court, Central District California, 1989, reversed and remanded, 959 F.2d 742, US Court of Appeals 9th Circuit, 1992

Co-Lead Counsel in a class-action challenging Immigration Court use of incompetent court interpreters. Litigation resulted in the implementation of an interpreter training program, the provision of full interpretation in court, and development of an interpreter certification examination.

### *Haitian Refugee Center vs. US Secretary of State James Baker*

789 F.Supp. 1552, US District Court, Southern District Florida, 1991) (Temporary Restraining Order), 789 F.Supp. 1579, 1991 (Preliminary Injunction), reversed and remanded, 949 F.2d 1109, US Court of Appeals 11th Circuit, 1991

Co-Counsel for Haitian plaintiffs in class-action litigation challenging U.S. Coast Guard's summary interdiction program that returned Haitians fleeing post-military coup violence in Haiti. Before the Court of Appeals reversed the preliminary injunction, the government was compelled to set up refugee camps at the U.S. Naval Base at Guantanamo Bay, Cuba that continued in operation after the injunction was dissolved. 45,000 people received interviews at the camps and 11,000 Haitians were permitted to enter the U.S. to apply for asylum.

### *Father Gérard Jean-Juste, et al. vs. Jean-Claude Duvalier*

No. 86-459-Civ-Scott (US District Court, Southern District Florida, 1988

Co-Counsel for torture victim plaintiffs. The action was filed under the US Alien Tort Statute of 1789 to recover damages and to seek the return of funds embezzled by the Duvalier dictatorship of Haiti. Default award of \$504 million entered.