

PETER A. SCHEY RESUME (2021)

PERSONAL:

Place of Birth: Durban, South Africa

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Websites: www.centerforhumanrights.org
www.casalibrela.org
www.tents4homeless.org

Facebook: www.facebook.com/center4humanrights

EDUCATION:

Lowell High School, San Francisco, CA
Graduated - June, 1964;

University of California, Berkeley, CA
Graduated - June, 1969
Bachelor of Arts in Psychology

California Western School of Law,
San Diego, CA
Juris Doctor June, 1973;
Outstanding Service Award, March 2, 1972;
California Western Law Review, 1971-72.

EMPLOYMENT HISTORY:

CENTER FOR HUMAN RIGHTS AND CONSTITUTIONAL LAW, INC.

1997-present: Founder and President of the Center for Human Rights and Constitutional Law, Inc. (CHRCL Inc.), a program that provides transitional living services, including shelter, food, counseling, health, legal, and educational services to unaccompanied formerly detained and homeless immigrant and refugee youth. See www.casalibrela.org

CENTER FOR HUMAN RIGHTS AND CONSTITUTIONAL LAW FOUNDATION

1980 – present: Founder and Executive Director of the Center for Human Rights and Constitutional Law Foundation (CHRCL Foundation). The Center is dedicated to the protection and promotion of fundamental civil liberties and human rights through major class action litigation, policy analysis and advocacy, community education, legal training and the presentation of petitions before international fora. The Center serves as a resource to social, legal, religious and community-based groups throughout the United States involved in civil and human rights advocacy.

UNIVERSITY OF CALIFORNIA AT LOS ANGELES (UCLA)

April-June 2017: Lecturer on political economy of migration patterns, the root causes of current migration patterns, and the rise of ethno-centric nationalist groups and policies in response to migration patterns in the United States and Western Europe today.

UNIVERSITY OF SOUTHERN CALIFORNIA, LAW CENTER

Adjunct Professor, University of Southern California Law Center, teaching courses on international human rights and immigration law (1987-1991).

UNIVERSITY OF CALIFORNIA LOS ANGELES SCHOOL OF LAW

Lecturer of Law, University of California School of Law teaching immigration and refugee law (Spring, 1989).

SOUTHWESTERN UNIVERSITY SCHOOL OF LAW (LOS ANGELES)

Adjunct Professor, University of Southern California Law Center, teaching courses on international human rights and administrative law

LEGAL AID SOCIETY OF SAN DIEGO

1973-1978: Established the first legal aid unit to provide representation for low-income immigrants in the Southern California area and initiated first class action cases on behalf of immigrants.

NATIONAL CENTER FOR IMMIGRANTS RIGHTS

1978-1980: Founded and served as Executive Director of the first national support center dedicated to the protection and promotion of the legal rights of immigrants. The program continues to function today as the National Immigration Law Center (NILC).

HOMELESS AND AT RISK YOUTH

First initiated and supervised an enrichment program for at risk youth at the Hunters Point/Bayview Community Center in 1968-69 funded by the San Francisco Foundation. The program identified at-risk youth mostly living in projects in the Hunters Point/Bayview neighborhoods in South San Francisco where family incomes were largely below federal poverty guidelines and crime and homelessness were widespread, and provided participants with a range of assessments, tutoring, field trips, and social services.

1970 served as a youth counselor at Balboa High School in San Francisco in the first state-sponsored trial affirmative action program for the University of California at Berkeley identifying at-risk minority youth for admission to UC Berkeley and providing guidance and assistance as they completed the affirmative action application process.

1992 to 1999 served as director of Safe Haven shelter in Los Angeles, a program funded by HHS, HUD, and private donations to provide transitional housing and a continuum of care for homeless and at risk minors in Los Angeles, with a focus on homeless immigrant youth and detained unaccompanied minors whose release was secured by the program.

2003-present served as President of CHRCL, Inc. which operates Freedom House/Casa Libre, a larger home than the Safe Haven shelter. Raised funds for purchase and supervised renovation of the home, supervised acquisition of a license as a group home in 2003, continue to provide programmatic direction for the program, and provide legal services for its residents.

LITIGATION EXPERIENCE:

Served as lead counsel or co-counsel in numerous major civil rights and class action cases in federal courts throughout the United States involving access to education, health and welfare benefits, administrative law, the rights of immigrants, refugees and indigenous people, and complex individual cases involving constitutional, criminal, transnational, and corporate issues. Represented or supervised the representation of over 2,000 cases in a nation-wide project involving women who have suffered sexual

harassment, abuse, or discrimination. Litigation against the federal government has resulted in the largest attorney fee awards in the country.

(1) *In re Alien Children Education Litigation, Doe v. Plyler*, 457 U.S. 202, 102 S.Ct. 2382, 95 L.Ed.2d 786 (1982) (U.S. Supreme Court) (lead counsel in State-wide class action case finding unconstitutional as a violation of Fourteenth Amendment equal protection a Texas statute which denied public education to undocumented children; over 100,000 children admitted to Texas public schools annually as a result of United States District Court injunction affirmed by United States Supreme Court decision);

(2) *Enrique Fuenes v. City of Riverside* (U.S. District Court, Central District of California) (lead counsel in lawsuit for damages following video-taped beating of Mexican national Mr. Fuenes by Riverside Sheriffs; Mr. Fuenes, a Mexican national migrant, was being smuggled in a high-speed chase; case settled and Mr. Fuenes received an award of \$700,000)

(4) *American-Arab Anti-Discrimination Committee, et al., v. Anti-Defamation League of the B'Nai B'rith, et al.*, No. Cv. 93-6358-RP (C.D. Cal.) (lead counsel in civil rights federal court case against the City and County of San Francisco and other defendants challenging illegal invasions of privacy and surveillance of approximately thousands of individual class members and 1,000 organizations based solely on lawful First Amendment activities; final settlements required identification of thousands of pages of documents containing unlawful law enforcement information, redaction of documents from defendants' files, and injunctions regarding future policies and conduct; attorneys' fees awarded).

(5) *American Apparel LLC*: Legal counsel for American Apparel and CEO Dov Charney on range of cases including EEOC conciliation to achieve model sexual harassment policy, EEOC conciliation to achieve model ADA policy, litigation of individual cases, Immigration and Customs Enforcement (ICE) I-9 audit, public relations, and corporate social responsibility issues.

(6) Directing attorney of *Voces Unidas Project*, a nationwide project involving representation of over 2,000 women victims of sexual harassment, abuse, or discrimination.

(7) *Native American Heritage Commission v. Cal State Long Beach*, No. BC 097212 (Los Angeles Superior Court) (lead counsel in State court lawsuit seeking to halt effort by California State University at Long Beach to build a shopping center over a historic Native American burial ground; preliminary injunction halted development plan);

(8) *League of United Latin American Citizens, et al. v. Pete Wilson, et al.*, No. Cv. 94-7569-MRP (C.D. Cal.), *LULAC v. Wilson*, 908 F.Supp. 755 (C.D. Cal. 1995) (lead counsel in California-wide class action case representing numerous elected officials and approximately one million families challenging the constitutionality of Proposition 187, a

State-wide initiative denying health care, social services and education to wide classes of California immigrant residents; law declared unconstitutional in federal court decisions in 1995 and 1997);

(9) Haitian Refugee Center v. Smith, 676 F.2d 1023 (1982) (U.S. Court of Appeals) (lead counsel in first major Florida class action case involving constitutional rights of Haitian refugees seeking political asylum in the United States; won permanent injunction reversing INS' denial of political asylum to over 5,000 Haitian refugees and prohibited their deportation from the United States to Haiti; federal legislation later granted class members permanent resident status);

(10) Lopez v. INS, Cv. No. 78-1912-WB(xJ) (lead counsel in certified nation-wide class action case involving the right to legal counsel of persons arrested by INS; nation-wide settlement impacting over 1 million class members per year reached requiring immigrants arrested by federal authorities to be provided written advisal of their legal rights and a period of time to consult with attorneys before post-arrest interrogation);

(11) Flores v. Garland, Cv. D.C. No. 2:85-cv-04544-DMG-AGR (co-lead counsel in nationwide class action case challenging federal policies for apprehended children, including the conditions of detention; national settlement reached with the U.S. Government addressing the conditions of detention, requiring the federal government to (i) end commingling of detained children with unrelated adults, (ii) provide education and reading materials and visitation with friends and relatives; (iii) requiring release of detained minors in certain circumstances to unrelated responsible adults);

(12) Immigrant Assistance Project of the Los Angeles County Federation Of Labor (AFL-CIO) v. Immigration and Naturalization Service, 306 F.3d 842 (9th Cir. 2002) (co-lead counsel in lawsuit challenging INS's denial of legalization to persons considered ineligible based on "known to government" statute; summary judgment won in favor of class of approximately 50,000 immigrants; INS appeal pending before the U.S. Court of Appeals);

(13) Orantes-Hernandez v. Smith, 541 F.Supp. 351 (C.D. Cal. 1982) (co-lead counsel in nationwide class action case; won preliminary injunction covering about 30,000 Salvadorans fleeing the U.S.-sponsored war in their country regarding their right to seek and obtain political asylum in the United States, and their right to consult with lawyers);

(14) Munoz v. Bell, Cv. No. 77-3765-WG (C.D. Cal. 1978) (lead counsel in major federal case resulting in court-ordered nation-wide settlement requiring the federal government to advise all persons in deportation proceedings of free legal services available to indigent immigrants);

(14) Jane Doe v. State of Hawaii, Cv. No. 97-00169 (U.S. District Court for the District of Hawaii) (lead counsel in personal injury and injunction lawsuit involving Hawaii state hospital rules for physician-patient relations and sexual assault by psychiatrist);

confidential settlement reached for monetary damages for plaintiff and State of Hawaii changes in policies and practices involving psychiatrist-patient relations);

(15) Development Disabilities Area Board 10 v. Smith, Cv. No. 500440 (Los Angeles Superior Court) (lead counsel in state-wide class action leading to class-wide settlement allowing indigent children access to health care services);

(16) People of the State of California v. Tariacuri Ramirez, Superior Court, Riverside County (counsel in obtaining full dismissal of first degree murder charge unjustly brought against the 17-year old defendant).

(17) Thompson v. United States, Cv. No. 83-0903 (D. Hawaii) (lead counsel civil action on behalf of prominent Hawaii lawyer resulting in broad injunction limiting manner in which Department of Justice criminal investigation could proceed against attorney target of criminal investigation);

(18) Charo v. United States, U.S. Ninth Circuit Court of Appeals, No. 95-70574 (decided Feb, 20, 1997) (lead counsel for entertainer Charo in successful litigation for attorneys' fees following dismissal of employer sanctions charges brought by the United States Government against Charo's corporation in Hawaii).

(19) California Medical Board v. Robbins (California Court of Appeals) (lead counsel in successful appeal and reversal of revocation of medical license of prominent surgeon in case involving turf battle with plastic surgeons resulting in unjustified charges; all charges dismissed and decision to revoke surgeon's license reversed by the California Court of Appeals)

(20) Baliza v. INS, 709 F.2d 1231 (9th Cir. 1982) (lead counsel in federal Court of Appeals precedent case reversing federal agency's use of unauthenticated documents in contested administrative proceedings when maker of document is not made available by agency for cross-examination);

(21) Moreno v. United States, Cv. No. 87-01431-TJH (C.D. Cal.), (lead counsel in settlement of Federal Tort Claim Act and Bivens action for wrongful arrest and deportation of a minor lawful resident by INS; child illegally deported by the INS awarded over \$100,000 in damages);

(22) Catholic Social Services v. Meese, 113 S.Ct. 2485 (1993) (U.S. Supreme Court) (lead counsel in nation-wide class action case seeking legalization opportunity for 200,000 immigrants who briefly traveled abroad during one-time 1987-88 "amnesty" program and were deemed ineligible to apply by Government; nation-wide injunction won permitted the filing of over 100,000 "late" amnesty applications after the statutory period expired; case settled by Department of Homeland Security following fifteen years of litigation);

(23) *Mendez v. INS*, 563 F.2d 956 (1977) (lead counsel in federal Court of Appeals precedent case holding that when an immigrant's deportation was accomplished in violation of agency regulations or the due process guarantee of the U.S. Constitution, the immigrant must be allowed to return to the United States for further hearings);

(24) *Whetstone v. INS*, 561 F.2d 1303 (1977) (lead counsel in federal Court of Appeals precedent case striking Government's requirement that marriages must be consummated in the traditional way in order for the marriage to serve as a basis for an immigrant visa);

(25) *Congressman R. Dellums v. Smith*, Cv. No. 82-0040-G (S.D. Cal. 1982) (lead counsel in class action resulting in injunction and settlement requiring the federal government to allow public access to administrative hearings at detention facilities);

(26) *Aviles-Torres v. INS*, 790 F.2d 1433 (1986) (lead counsel in federal Court of Appeals case reversing Immigration Judge's denial of political asylum; interpretation of federal asylum and withholding statute)

(27) *United States v. Phra Winai* (lead counsel in federal criminal and political asylum case involving high-profile Buddhist monk from Thailand; federal criminal case favorably resolved through settlement and political asylum granted avoiding extradition to Thailand where monk faced religious persecution).

INTERNATIONAL WORK (PARTIAL LISTING):

(1) South Africa Constitution Watch Commission (1990-1994) Founder and coordinator of an international commission to report on the constitutional positions of major parties in South Africa as evaluated under international human rights law. Commission included over 40 prominent jurists and political leaders, including former Costa Rican President Oscar Arias and former U.S. President Jimmy Carter.

(2) Haitian Interdiction Petition (Sept. 1990-98) Lead counsel in successful human rights petition before the Inter-American Commission on Human Rights of the Organization of American States (OAS) challenging the U.S. Government's program of interdicting and returning Haitian refugee boatpeople without regard to their right to life, due process, to depart their country, and to seek asylum. Petition resulted in lengthy decision finding United States Government in violation of several binding international instruments; Commission's final decision was adopted by the General Assembly of the Organization of American States.

(3) *Stecel 11 Case*,. Represented 11 leading trade unionists, longest held political prisoners in El Salvador during U.S.-backed war; petition filed with the Inter-American Commission on Human Rights of the OAS; release of prisoners negotiated and safe passage to Amsterdam obtained.

(4) Dennis Quintanilla--Kidnapped Child. Negotiated release of U.S. citizen child kidnapped by Salvadoran National Guard after assassination of mother in El Salvador (New York Times, Feb. 20, 1983, p. 1).

(5) Provision of legal counsel to President Bertrand Aristide of Haiti following his exile by military coup; successful entry into the United States following exile by coup; assisted in negotiations with U.S. Government for President Aristide's return to Haiti; accompanied President Aristide when returned to Haiti.

OTHER ACTIVITIES:

(1) *Founder and director of Voces Unidas*, a nation-wide project undertaken in 2005 with the goal of identifying and representing low-income women and children victims of sexual harassment, abuse and discrimination and provide no cost legal representation.

(2) *Founder and director of "Safe Haven" and "Freedom House" ("Casa Libre")* group homes for unaccompanied immigrant and refugee children; acquired \$2 million funding to purchase and operate shelter facilities to provide youth with temporary housing, family reunification services, legal services, medical care, mental health counseling, etc. (www.casa-libre.org)

(3) *Co-founder and current Acting Chair of the Board of El Rescate*, a NGO based in Los Angeles, Ca., providing free legal services to Central American refugees.

EDITORIAL SERVICE (for dates of service contact Peter Schey):

Migration Today

Board of Editors of the Immigration Law and Procedure Reporter

(Matthew Bender),

Editorial Board, Immigration and Nationality Law Review (Clark Boardman),

Advisory Board, Migration World Magazine (Center for Migration Studies).

BAR ASSOCIATION AND COMMUNITY SERVICE:

President of the Board, El Rescate (2004-2006), member (2006-2020), Acting Board Chair (2020-present).

Board Member, Gente Unidos (San Diego) (2020-present).

Board member, People's College of Law (2006-2009).

President of Community Media Project (1993-1998).

Vice-Chairperson of the Individual Rights Section of the Los Angeles County Bar Association (1986, 1990, 1992, 1994).

General Counsel to the United California Mexican-American Association (1981-present).

Board member Hermandad Mexicana Nacional (1988-1994).
National Advisory Board Member, the National Asylum Appeals Project of the Lawyers Committee for Civil Rights (1986-1992).
Board member The Resource Center (New Mexico) (1984-1986, 1990-1998);
Board member CRISPAZ (Texas) (1986-87);
Advisory Board, Bhopal Justice Campaign (1989-1993).
Advisory Board, Guatemala Information Center (1989-1990).
National Advisory Board, Guatemala Support Network (1992-present).
Board member National Coalition for the Rights of Immigrants and Refugees (1990-1999).
Executive Committee of the Immigration Section of the Los Angeles County Bar Association (1986).
General Counsel to the Coalition for Humane Immigration Reform of Los Angeles (CHIRLA) (1987-88).
Executive Committee, National Lawyers Guild Los Angeles Chapter (1988-1998).
Chair, International Action Committee of the National Lawyers Guild (1995-2000).

TREATISE:

- (1) Immigration Law and Procedure, chapter on political asylum (8-volume treatise on immigration and refugee law published by Mathew Bender)
- (2) Immigration Law & Crimes,, major contributor (published by Clark Boardman publishing company, 1984)

AWARDS:

- 2019 Justice Cruz Reynoso Community Service Award, Mexican American Bar Association
- 2015 Border Angels, Lifetime Achievement Award for service to protection of migrants domestic and international human rights
- 2010 Loyola Marymount University recipient *Intercultural Dialogue Person of the Year Award*
- 1996 County of Los Angeles and League of United Latin-American Citizens commendation for dedicated service to the affairs of the Latino community in the U.S.
- 1988 Carol King Award for efforts "to secure justice for Salvadoran asylum seekers"
- 1986 Commendation for Pro Bono Services by State Bar of California

1985 Jack Wasserman Memorial Award by American Immigration Lawyers Association for "excellence in litigation" on behalf of immigrants

1980 Clarence Darrow Foundation Award for civil rights litigation

1980 Award for Outstanding Service to Hispanic Community by United California Mexican American Association

PARTIAL LISTING OF CLIENTS REPRESENTED IN U.S. COURTS AND/OR INTERNATIONAL LAW PETITIONS:

U.S. Representative Ron Dellums
California Senate Majority Leader Richard Polanco
Chinese American Citizens Alliance (Washington, DC);
United Farm Workers of America (AFL-CIO) (California);
California Attorney General Xavier Becerra;
National Council of Churches (New York);
United Methodist Church (Washington, DC);
League of United Latin American Citizens (LULAC);
American G.I. Forum (Dallas, Texas);
American Apparel, Inc.
Dov Charney, Founder and CEO of American Apparel
Micro Solutions Enterprises (MSE)
International Commission for the Defense of Salvadoran Refugees (San Salvador);
Gerardo Hernandez (Cuba Five)
Clergy and Laity Concerned (Washington, DC);
Lutheran Council in the U.S.A. (Washington, DC);
International Tribal Council (San Francisco, Ca.);
Guatemala Support Network (Washington, DC);
Global Exchange (San Francisco, Ca.);
California Catholic Conference (Sacramento, Ca.);
Southern California Ecumenical Council (Los Angeles, Ca.),
Arizona Farm Workers Union (Arizona);
California Native American Heritage Commission (Sacramento, Ca.);
International Commission for the Defense of Salvadoran Refugees (San Salvador);
Comisión Mexicana de Defensa y Promoción de Los Derechos Humanos, A.C. (Mexico);
Central American Refugee Center (Washington, D.C.);
ACLU Foundation of S. California (Los Angeles, Ca.);
Center for Constitutional Rights (New York);
American Friends Service Committee (AFSC) (Philadelphia, Pa.);
National Farm Worker Ministries Washington, DC;
Washington Office on Haiti (Washington, DC);
Haitian Center for Human Rights (Port-au-Prince, Haiti);
Palestine Aid Society (New York);

National Coalition for Haitian Refugees (New York);
Haitian Refugee Center (Miami, Fla.);
United California Mexican American Association (San Diego, Ca.);
Arab-American Anti-Discrimination Committee (Washington, DC);
Committee in Solidarity with the People of El Salvador (Washington, DC);
National Association of Arab Americans (Washington, DC);
Association of Arab-American University Graduates, Inc.;
Bay Area Anti-Apartheid Network (San Francisco, Ca.);
International Jewish Peace Union;
National Conference of Black Lawyers (New York);
American Indian Movement (Colorado);
National Lawyers Guild (New York);
Coalition Against Police Abuse (Los Angeles, Ca.);
Palestine Solidarity Committee (New York);
Association for Residency and Citizenship of America
Academia Mexicana de Derechos Humanos, A.C. (Mexico);

GUIDING PRINCIPLES

"The test of our progress is not whether we add more to the abundance of those who have much; it is whether we provide enough for those who have too little."

- Franklin D. Roosevelt

"The arc of the moral universe is long, but it bends towards justice."

- Martin Luther King, Jr.

"Peace is more than just an absence of war. True peace is justice, true peace is freedom, and true peace dictates the recognition of human rights."

- Ronald Reagan

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