

# JOSEPH A. TRIGILIO

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## PROFESSIONAL EXPERIENCE

### **Loyola's Project for the Innocent** **Executive Director**

**2023-Present**

#### **Associate Clinical Professor**

The Project for the Innocent is a clinic at Loyola Law School that investigates and litigates cases of wrongful convictions. Responsibilities include managing budget and staff, directing investigations and litigating active cases, and teaching the class component of the clinic.

### **Office of the Federal Public Defender for the Central District of California**

#### Deputy Federal Public Defender

**2008-2021**

Represent capital and non-capital inmates in their federal habeas corpus and ancillary proceedings, including state post-conviction litigation. Practice in cases across all jurisdictions, including representing a detainee at Guantanamo Bay, and clients in county Superior Courts, a Texas state courts, California Appellate Courts, the California Supreme Court, federal district courts, the Ninth and Fifth Circuit Court of Appeals, and the United States Supreme Court. Ancillary litigation has included clemency, state-writ litigation, and representation at parole hearings. Federal trial work has included representation of defendants charged with federal crimes, including a jury trial for crimes eligible for the federal death penalty.

#### Supervising Deputy Federal Public Defender

**2021-2023**

In addition to maintaining a caseload, co-supervise a unit of 20+ death-penalty lawyers. Oversee litigation, edit pleadings, and prepare lawyers for evidentiary hearings and oral arguments.

### **Loyola Law School's Project for the Innocent, Los Angeles, California**

**2012-2023**

#### **Adjunct/Supervising Attorney**

Supervise students and oversee investigation into cases that may involve claims of actual innocence or other fundamental constitutional violations. Teach clinical classes on concepts such as prejudice, prosecutorial misconduct, motion drafting, implicit bias & issues of race, and criminal fact investigation.

### **Habeas Corpus Resource Center, San Francisco, California**

**2006-2008**

#### **Staff Attorney**

Represent death-sentenced inmates in state and federal habeas corpus proceedings. Draft litigation memoranda used in nationwide effort to prepare for anticipated litigation of federal statutes concerning habeas corpus.

## TEACHING EXPERIENCE

### **Loyola Law School, Los Angeles, California**

**Spring 2016-2023**

#### **Adjunct Professor, Habeas Corpus Litigation Seminar**

This is a class covering state and federal non-capital habeas corpus litigation with the goal of providing a practical overview of postconviction litigation in the context of the historical origins of, and political tensions surrounding, the Great Writ and how it is litigated in both state and federal courts, with a focus on litigation in California state and federal courts.

### **Southwestern Law School, Los Angeles, California**

**Spring 2021 - Present**

#### **Adjunct Professor, Habeas Corpus Litigation & Wrongful Conviction Seminar**

The two classes are (1) Habeas Corpus Litigation, which focuses on state and federal non-capital habeas corpus litigation, and (2) Wrongful Convictions, which is focused on the broader causes of wrongful convictions, such as forensic science, state misconduct, eyewitness misidentification, and racial bias.

## EDUCATION

**University of San Francisco School of Law**, San Francisco, California

2006

Juris Doctor

*Magna Cum Laude* (Top 2%; ranked as one of the top three students in the class)

- Student Bar Association Award (Top law student as voted on by fellow students)
- Dean's Scholarship Recipient

**St. Mary's University**, San Antonio, Texas

2003

Bachelor of Arts in Political Science with a minor in Philosophy

*Magna Cum Laude*

- Vice President, Student Government
- San Antonio Student Area Coordinator and Chapter Found and President, Amnesty International

## TRAINING AND SPEAKING PRESENTATIONS

**Federal Defender Capital Habeas Unit National Conference**

2023

New Orleans, LA

*The Sky is Not Falling -- Shinn was a Flash in the Pan* (Plenary)

**CACJ/CPDA Capital Case Defense Seminar**

2023

Monterey, CA

*Navigating Recent Changes in Federal Habeas Corpus*

**Challenging Experts at Trial**

2022

Office of the Federal Public Defender, MCLE

Training on challenging non-scientific experts in pretrial litigation

**Magistrate Judge Training on Evolving State Laws and Policies,**

2021

Co-presenter with Professor Laurie Levenson

Central District of California

Training on state and local reforms affecting federal habeas petitioners

**CACJ Capital Defense Seminar, co-presenter**

2020

San Diego, CA

Presented on the topic of identifying and litigating prosecutorial misconduct.

**CACJ Capital Defense Seminar, co-presenter**

2018

San Diego, CA

Presented on the topic of overcoming 28 U.S.C. § 2254(d) in federal habeas proceedings.

**Amicus US Death Penalty Training, lecturer**

2017

London, UK

Trained Amicus interns and volunteers intending to travel to the United States in topics ranging from state misconduct and juror investigation to racial discrimination and litigating issues of race in death penalty cases.

**CACJ Capital Defense Seminar, co-presenter**

2017

San Diego, CA

Presented on the topic of litigating & investigating prosecutorial misconduct

## TRAINING AND SPEAKING PRESENTATIONS (CONT.)

**CACJ Capital Defense Seminar**, co-presenter**2016**

San Diego, CA

Presented on two topics: (1) equitable tolling of the federal statute of limitations governing the filing of a habeas corpus petitions and (2) overcoming client obstacles

**MCLE Training: "Habeas: The Hot Topic for Today's Criminal Justice System,"** co-presenter**2015**

Los Angeles, CA

Co-sponsored by the ABA Criminal Justice Section's Ethics, Gideon & Professionalism Committee, Loyola's Project for the Innocent, and the Los Angeles County Bar Association. Training covered effective state and federal habeas litigation.

**Innocence Panel**, moderator**2014**

Los Angeles, CA

Loyola Law School, Project for the Innocence Event

**Fidler Institute**, moderator**2013**

Los Angeles, CA

Loyola Law School, *ABC's of Habeas Corpus***"Federal Habeas Corpus, Navigating the Waters of Supreme Court Precedent,"** co-presenter**2013**

Ninth Circuit Court of Appeals, Pasadena, California. Panel Training.

**"Litigating Actual Innocence,"****2013**

Federal Public Defender's Office, Los Angeles, California, CJA Panel Training

## PUBLICATIONS

**Continuing Education of the Bar (CEB), Appeals and Writs Update****2020-Present**

Chapter 12 - Review in the United States Supreme Court

Chapter 17 - Hearing and Determination of Petition

**"Executing Those Who Do Not Kill: A Categorical Approach to Proportional Sentencing,"****2011***American Criminal Law Review*, Summer 2011, Vol. 48, No. 3, with Tracy Casadio.

## BAR ADMISSIONS

**State Bar of California****2006****United States District Court, Central and Eastern Districts of California****2008****Ninth Circuit Court of Appeals****2008****Fifth Circuit Court of Appeals****2014****United States Supreme Court****2011****Admitted pro hac vice in Texas state courts****2017****United States District Court, District of Columbia****2023**