

# DANIEL P. SHEEHAN

FEDERAL CIVIL RIGHTS ATTORNEY

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## EDUCATION

**Harvard Divinity School, 1973–1975**

Masters of Divinity Program in Comparative Social Ethics

**Harvard Law School, J.D., 1970**

Co-Editor, *Harvard Civil Rights & Civil Liberties Law Review*

Chief Research Assistant to Jerome Cohen, Chair, Department of International Law

**Harvard College, A.B., American Government (with Honors), 1967**

Thesis: “Historical Origins of the 5th Amendment”

Advisors: Paul Freund, Arthur Sutherland

## PROFESSIONAL POSITIONS

**Romero Institute, Santa Cruz, CA**

Co-Founder and General Counsel, 1993–Present

**Christic Institute, Washington, D.C.**

Co-Founder and General Counsel, 1980–1993

**National Office of Social Ministries of the Jesuit Order, Washington, D.C.**

Chief Counsel, 1975–1985

**American Civil Liberties Union, Denver, CO**

Chief Trial Counsel, National Office for the Rocky Mountain States, 1974

**Bailey, Altch, & Gilles, Boston, MA**

Special Trial Counsel, 1972–1973

**Cahill, Gordon, Sonnett, Reindel & Ohl, New York, NY**

Associate First Amendment Counsel, 1970–1972

## NOTABLE COURT CASES

**Pentagon Papers Case** (*New York Times Co v. U.S.*), 405 U.S. 438 (1971)

Landmark **First Amendment** case that won right of *New York Times* and *Washington Post* to publish classified Pentagon study revealing secret history of Vietnam War.

Served as Co-Counsel before Supreme Court with James Goodall (*New York Times*), Alexander Bickel (Yale Law School), and Floyd Abrams (Cahill, Gordon, *et al.*).

**Eisenstadt v. Baird**, 405 U.S. 438 (1972)

Supreme Court ruling struck down State anti-birth control law. Decision was cited in Roe v. Wade as source for limitation on government regulation of **reproductive freedom**. Initiated, filed and litigated case on behalf of Massachusetts Planned Parenthood.

**In re Pappas**, 408 U.S. 665 (1972)

Ruling recognized statutory right of journalists to protect identity of confidential news sources against compelled government disclosure. Filed and argued initial Massachusetts court case. Following consolidation and *certiorari* by Supreme Court, served as Associate Counsel, preparing petitioner's brief as well as *amicus* briefs for companion cases of Branzburg v. Hayes and U.S. v. Caldwell.

**Jewish Defense League v. New York Times Co**

Chief Counsel for *New York Times*. Successfully defended **First Amendment** right to *not* publish paid advertisement condemning orchestra conductor Leonard Bernstein.

**Black Panther 21 Trial** (State v. Byrd)

*Pro Bono* Associate Trial Counsel for 21 leaders of New York Black Panther Party falsely accused of bombing conspiracy. Jury found defendants innocent of all **criminal charges**.

**In re Slaughterhouse Five**

Drafted and filed District Court complaint overturning decision by school district in Drake, North Dakota after it banned—and burned—the Kurt Vonnegut novel *Slaughterhouse Five* and fired the teacher who had assigned it.

**In re Last Tango in Paris**

Successfully defended United Artists' film *Last Tango in Paris* against **obscenity charges** by the State of Idaho.

**Wounded Knee Trials**

Eight-month trial following American Indian Movement's 1973 occupation of Wounded Knee. Case dismissed due to pattern of government misconduct. Served as *amicus curiae* in capacity as Counsel to the Native American Rights Committee of the ACLU.

**Associated Student Body v. University of Wyoming**

Defended **First Amendment** right of University of Wyoming Student Body To select motion pictures for student events free from administration censorship.

**In re Dr. Rufus Lyman**

Represented Chairman of University of Idaho Life Sciences Department in federal **Civil Rights Act** suit, securing reinstatement following dismissal for publicly condemning committee set up to investigate public opponents of University's President.

**In re Starr**

Defended University of Colorado students against federal criminal charges under **H. Rap Brown Act**—Interstate Travel to Aid and Abet Those Engaged in Civil Disturbance—for attending public funeral of American Indian Movement member killed at Wounded Knee.

**Mancari v. Morton**, 417 U.S. 535 (1974)

Court held that Bureau of Indian Affairs’ preferential hiring of Native Americans did not violate **Equal Employment Opportunity Act** nor **Fifth / Fourteenth Amendments**. Authored briefs filed with Supreme Court on behalf of American Civil Liberties Union.

**United States v. Glenn W. Turner & F. Lee Bailey**

Retained as Associate Trial Counsel at Boston-based firm Bailey, Alch & Gillis. Successfully defended partner and famed criminal defense attorney F. Lee Bailey.

**(Watergate Burglary Case)** United States v. James McCord, et al.

Served with F. Lee Bailey as Special Counsel in Watergate Burglary Case, which led defendant James McCord to pen famous letter to Federal Judge John Sirica that “blew the whistle” on President Richard Nixon and “Plumbers Unit.”

**United States v. Berrigan**

Served as Defense Counsel for brothers Phillip and Daniel Berrigan. The Berrigan brothers were Catholic Priests and peace activists accused of burning selective service records in protest of the Vietnam War.

**Silkwood v. Kerr-McGee Corp.**, 464 U.S. 238 (1984)

Historic lawsuit against Kerr-McGee Nuclear Corporation for radioactive contamination of employee Karen Silkwood. Supreme Court upheld jury’s \$10.5 million judgment, removing federal liability cap and effectively ending construction of all new nuclear facilities in United States. As Chief Counsel: initiated suit and guided legal strategy.

**Three-Mile Island Incident** (PIRC v. Three Mile Island)

Following partial core meltdown of Three-Mile Island Nuclear Station, won federal court order halting release of nuclear effluents into Susquehanna River, thereby preventing an estimated 50,000 cancer-related deaths of residents living downstream.

**American Sanctuary Movement Case** (U.S. v. Stacey Lynn Merkt, et al.)

Won federal court order declaring unconstitutional secret Reagan/Bush Administration Executive Order prohibiting political asylum for Salvadoran and Guatemalan refugees, thereby supporting work of American Sanctuary Movement.

**Greensboro Civil Rights Case** (Waller v. Butkovich)

Following initial acquittal, won \$1 million judgement against North Carolina Ku Klux Klan, American Nazi Party, and Greensboro Police Department under federal **Civil Rights Act** for first-degree murder of public demonstrators.

**Iran-Contra Affair** (*Avirgan v. Hull*), 506 U.S. 952, 113 S. Ct. 405 (1992)

Groundbreaking civil suit brought under **RICO** shed light on arms-for-drugs-for-hostages enterprise, forcing appointment of Independent Counsel and prompting Senate hearings. While suit failed to obtain civil judgement against conspirators, it revealed existence of “secret government” engaged in pattern of covert, criminal activities dating back to 1950s. As Chief Counsel for Christic Institute: initiated suit, oversaw legal investigation, and guided legal strategy.

**LEGAL COUNSEL**

Served, under William vanden Heuvel, as Special Counsel to Rockefeller Commission in oversight of Knapp Commission’s investigation and public hearings into New York City Police Department corruption (which featured testimony of Officer Frank Serpico).

Served as Legal Counsel to Attica inmates in Western District of New York, helping secure placement of a Committee of Observers inside prison. As one of the observers, helped establish that hostages were killed by State Police gunfire and not, as officials claims, by the inmates.

Appointed by New York City Republican Mayor John Lindsey as *pro bono* attorney for inmates at the Manhattan House of Detention (the “Tombs”).

Served as Defense Counsel for notable peace and political activists, including: Dick Gregory, Dr. Benjamin Spock, and Southern Christian Leadership Council President David Abernathy.

Selected to serve as one of five Briefers to United States Senate on the Cooper-Church Amendment to terminate funding for the War in Vietnam.

Acted as Special Consultant to United States Library of Congress investigation into existence of Extraterrestrial Intelligence requested by President Jimmy Carter.

Served as Legal Counsel to Dr. John Mack, Chair of Department of Clinical Psychology at Harvard Medical School, before Harvard Faculty Committee. Dr. Mack was called to defend publication of his controversial book *Abduction: Human Encounters with Aliens*.

Served as General Counsel to the Disclosure Project, which coordinated presentation to members of United States Congress of sworn testimony from former U.S. Military Officers and Federal Aviation Administration and NASA employees attesting to direct personal knowledge of Government concealment of information relating to UFO phenomenon and potential existence of extraterrestrial intelligence.

Served as General Counsel to the Institute for Cooperation in Space, a U.S. citizens group dedicated to banning space-based weapons and any development of weapons for offensive use against potential extraterrestrial civilizations.

## **ACADEMIC, COMMUNITY, AND POLITICAL ACTIVITIES**

### **Roxbury Summer**, Boston, MA

Co-Founder of Boston Archdiocese project to convert unused Catholic schools into child-care and job training centers for underprivileged neighborhoods, 1965.

### **Biafran Relief Commission**, Boston, MA & Biafra Province, Nigeria

Director of emergency airlift that broke Nigerian government's blockade of Biafran Province, delivering food and supplies to the starving Biafran people, 1968.

### **Democratic National Committee**, New York, NY

Assistant New York State Campaign Director, George McGovern for President, 1972  
New York State Director of Voter Registration, 1972

### **National Inter-Religious Staff Council**, Washington, D.C.

Chairman, Committee on Civil Rights and Civil Liberties, 1976–1979  
Chairman, Committee on Criminal Justice, 1976-1979

### **Fund for Constitutional Rights**, Washington, D.C.

National Chairman, 1977-1980

### **Academic Seminars**

Presenter of Advanced Seminars in Constitutional Law and American Politics at Harvard University, Yale Law School, and Notre Dame School of Law.

### **Antioch School of Law**, Washington, D.C.

Visiting Professor of Constitutional Law, 1986

### **University of California at Santa Barbara**, Santa Barbara, CA

Caesar Chavez Visiting Professor, 1993–1994.

### **State of the World Forum**, San Francisco, CA

Director of The Strategic Initiative To Identify The New Paradigm of former-Russian President Mikhail Gorbachev's annual global leadership conference, 1999

### **Search for Extraterrestrial Intelligence (SETI)**

Presented closed-door seminar at NASA's Jet Propulsion Laboratory to leading SETI scientists on "Theological Implications of Contact."

**International UFO Congress**

Frequent featured and keynote speaker at International Convention of the Mutual UFO Network and International UFO Congress.

**BAR ADMISSIONS**

Active Member of the Bars of the State of New York and of the District of Columbia.

Active Member of the Federal Bar Associations of the Southern District of New York and the District of Columbia.

Admitted *pro hac vice* to the bars of seventeen states including: California, Colorado, Florida, Georgia, Idaho, Mississippi, Nebraska, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Dakota, Texas, Virginia, and Wyoming.