

New Faces: Latinos in North Carolina

A curriculum-based media project about the Latino community's cultural & economic contributions to North Carolina.

UNIT 4 **Immigration**

Module 1: The U.S. Immigration System

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Unit 4 Objectives:

1. Gain a better understanding of the functioning of the current immigration system, including limited opportunities for people to come to the U.S. legally, opportunities to stay in the country, and immigration enforcement.
2. Learn more about people's motivation to come to the United States even if they cannot do it legally.
3. Dismantle myths and stereotypes about undocumented immigrants already in the United States.

Unit 4 Framing Questions:

1. What can we learn from individuals' personal immigration stories?
2. How does our current U.S. immigration system function?
3. What effects have immigration enforcement policies had on North Carolina families in recent years?

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Unit 4 / Module 1 / Lesson 1

Understanding the U.S. Immigration System

Objective

Learners will have a better understanding of the U.S. immigration system and will be able to explain the very limited opportunities for people to immigrate to the United States for employment.

Framing Questions

1. How might someone who wants to come to the United States to work go about applying to do so legally?
2. How easy or difficult is this process?
3. What are other ways in which someone might legally immigrate to the United States?
4. Why do many people consider the U.S. immigration system “broken”?

Backgrounder

The United States Citizenship and Immigration Service (USCIS), a division of the Department of Homeland Security, oversees the nation's immigration system. The U.S. Immigrations and Customs Enforcement (ICE) is the part of Department of Homeland Security that enforces immigration law and includes border patrol agents and other agents involved in locating, detaining and deporting undocumented immigrants. The U.S. immigration system is incredibly complex, and the process for applying to come to the United States to visit, live, or work varies immensely depending on one's personal situation. Generally it is very difficult for people without special skills, a direct family connection, or substantial financial means to be able to come to the United States to work and live.

For more information about USCIS and ICE please visit their websites:

www.uscis.gov

www.ice.gov

Materials and Preparation Needed

1. Computers with Internet access for learners (at least one computer for every two students)
2. Online resources about the immigration process. These include: “Paths to Legal Immigration” from the Maryland Catholic Conference available at <http://www.mdcathcon.org/immigrationprocess>.
3. Prepared note cards containing immigration scenarios
4. KWL chart: printed, copied on chart paper or drawn on chalk board or white board

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Lesson Outline

Group KWL chart

1. As a class complete the K and W sections of a KWL chart on the U.S. immigration system.

What we KNOW about the U.S. immigration system	What we WANT TO KNOW about the U.S. immigration system	What we LEARNED about the U.S. immigration system

Exploring the U.S. Immigration System

1. Instruct learners to visit USCIS.gov (in groups of 2) and explore the site for about 5 to 10 minutes.
2. Ask each group to share one new thing they learned in their initial review of the site.
3. Give each pair of learners a card with an immigration scenario. Have them go to the USCIS website and explore what their options are for getting a work visa or becoming a permanent resident based on the scenario on their card.
4. Ask groups to report back on the options for their scenario. Also ask them to share at least three things they have learned about the immigration system through this exercise.
5. Ask learners to visit the website with information about Paths to Legal Immigration and to read it silently <http://www.mdcahcon.org/immigrationprocess>.
6. Complete the last column of the KWL chart as a class and wrap up the discussion by summarizing what students have learned about the immigration system. A key take away for the group should be that it is very difficult to find a legal way to come to the United States, become a permanent resident or even get temporary permission to work.

Potential Assessment/Extension Activity

1. Ask learners to create a presentation, written summary or graphic organizer summarizing the two most common processes by which someone can become a resident of the United States. (These are Family Connection and Employment.)
2. Learners should outline how someone would go about these processes, what the timeframe is for processing these types of applications, and any other pertinent information.

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Immigration Scenarios

Name: Emilia Nowak

Hometown: Warsaw, Poland

Passport: European

Skills: Fashion model

Qualifications: Has been featured in high profile magazines and in European runway shows for top designers

Family in the US: none

Reason for Coming to the United States: Will be hosting a new fashion show on E! Entertainment Television.

Name: Hector Ruiz Castillo

Hometown: Mexico City, Mexico

Passport: Mexican

Skills: Successful businessman from Mexico City.

Qualifications: Masters degree in business from the National Autonomous University of Mexico

Family in the US: Has a brother who is already a permanent resident of the US

Reason for Coming to the United States: Has 2 million dollars to invest in his new startup company in rural Texas that will employ at least 20 U.S. citizens.

Name: Juan Ignacio Sanchez

Hometown: Matagalpa, Nicaragua

Passport: Nicaraguan

Skills: Coffee farmer

Qualifications: Has worked on a shade grown coffee plantation for 10 years

Family in the US: None

Reason for Coming to the United States: Wants to bring his two children with him so that they may have a better life, especially better educational opportunities. He would like to find a job in agriculture or construction.

Name: Saed Nassar

Hometown: Baghdad, Iraq

Passport: Iraqi

Skills: Speaks English fluently as well as his native Arabic

Qualifications: Worked as a translator for U.S. armed forces for 3 years during Iraq war

Family in the US: None

Reason for Coming to the United States: Escaping continued unrest in Iraq, especially fears attacks on his family because of his cooperation with the U.S. military.

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Name: Iliana Diaz Romero

Hometown: Puebla, Mexico

Passport: Mexican

Skills: Printer

Qualifications: Graduated from high school and works as a clerk at a print shop

Family in the US: Mother and sister are U.S. citizens

Reason for Coming to the United States: Wants to join her family in the United States.

Name: Mariana Toro

Hometown: Copan, Honduras

Passport: Honduran

Skills: Baker

Qualifications: Mariana bakes sweets and sells them to tourists at the Mayan ruins in Copan.

Family in the US: Husband is in the United States working. He is undocumented.

Reason for Coming to the United States: It has been 5 years since she has seen her husband. She wants to reunite with him and also earn more money to support their 7-year-old daughter, who will stay behind in Copan with Mariana's mom.

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Unit 4 / Module 1 / Lesson 2

Navigating the U.S. Immigration System

Objectives

1. Learners will be further immersed in one aspect of the immigration system, called Temporary Protective Status, and will reflect on the implications of the immigration systems' complex rules for individuals.
2. Learners will be able to summarize the definition of Temporary Protective Status and explain how someone might qualify for this immigration benefit.

Framing Questions

1. What resources and information might one need to navigate the complicated U.S. immigration system?
2. How do immigrants' experiences in the United States shape their perceptions of this country?

Backgrounder

"Temporary Protected Status (TPS) is a temporary immigration benefit that allows qualified individuals from designated countries (or parts of those countries) who are in the United States to stay here for a limited time. A country may be designated for TPS by the secretary of Homeland Security based on certain conditions in the country that temporarily prevent that country's nationals from being able to return safely, or in certain circumstances, the country's government from being able to handle their return adequately. A TPS country designation may be based on ongoing armed conflict, environmental disaster, or other extraordinary and temporary conditions in the country."¹

The U.S. government has offered Temporary Protected Status (TPS) to citizens from Honduras and El Salvador who came to the United States due to Hurricane Mitch in November 1998. Some individuals from Nicaragua also qualify for TPS. This particular granting of TPS only benefits those who arrived in the United States from those countries before December 31, 1998.

Forced removal happens when ICE detains a person for an immigration violation, removes the person from the United States, and returns the person to his or her home country using government funds. This is what is meant by the term "deportation." If a person who has an immigration violation is certain of having no means of qualifying to stay in the United States, he or she may request an immigration judge to grant a voluntary departure. This means that the Immigration and Customs Enforcement Agency wants to remove the person from the U.S., but, instead of being forcibly removed, the person agrees to voluntarily leave the United States within a certain period of time and to

¹ From the USCIS website: <http://www.uscis.gov>

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pay for his or her own transportation back to the home country. Some people choose voluntary departure because it has fewer negative consequences for them than would forced removal.

For more information about TPS and deportation please see the [USCIS website](#).

Materials and Preparation Needed

1. TV and DVD player
2. Computers with internet access (one computer for every two students)
3. Projector and speakers
4. New Faces DVD Film Clip "Temporary Protected Status" The U.S government has offered "Temporary Protected Status" (TPS) to citizens from Honduras, Nicaragua, and El Salvador who came to the United States due to Hurricane Mitch in November 1998. In this clip, we are introduced to Juan, an immigrant from El Salvador who decides to take advantage of this status and thus become a documented resident. However, as it turns out, Juan does not qualify because he arrived after the designated dates for the protective status and is instead deported. We follow his story until the date he has to leave the United States.

Lesson Outline

Introductory Question

1. Ask students to think about a situation in which they made a decision without having the full information that they needed.
2. Ask one or two learners who feel comfortable doing so to share their stories. As a class discuss the following:
 - Why didn't you have the information that you needed?
 - If you had had better information, do you think the results would have been different?

Film Clip

1. Introduce and show the clip "Temporary Protected Status"
2. Clarify the terms "Voluntary Departure", "Temporary Protected Status (TPS)" and "Forced Removal" for any learners that have questions (See backgrounder above).
3. Direct a class discussion about Juan's story using the following questions:
 - Why could Juan not take advantage of Temporary Protected Status? Why might not Juan have known this before applying?
 - What happened at Juan's deportation hearing?
 - At the conclusion of the piece Juan expresses disillusionment with the U.S. and the immigration system. Why might he feel this way?

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- Imagine if you were in Juan's situation. What do you think your emotional response would be?

Exploring Resources in Your Community

1. Ask learners to brainstorm organizations, lawyers, websites, and other resources available to people in your community who need information about the U.S. immigration system. Create a list of potential resources. This might take some online research or research using print resources like the phone book. This activity could be done as a whole class, individually, in small groups, or as a homework assignment.
2. Ask learners to design and create a one-page flier or brochure that shares community immigration resources. For students in Spanish language classes this activity could be done in Spanish.

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Unit 4 / Module 1 / Lesson 3

An Introduction to Enforcement-Only Immigration Policies

Objectives

1. Learners will be able to summarize the immigration enforcement procedures in place in North Carolina, with a special emphasis on understanding the cooperation between local law enforcement and Immigration and Customs Enforcement.
2. Learners will analyze the available information and form an opinion about the effects on their community of cooperation between local law enforcement and immigration enforcement officials.

Framing Questions

1. What is deportation?
2. Why are people deported?
3. What are some of the law enforcement programs in North Carolina that lead to the deportation of undocumented immigrants in North Carolina?
4. What is controversial about those programs? How do these programs affect other aspects of local law enforcement?

Backgrounder

In the last several years enforcement of immigration laws has been stepped up considerably, both at the U.S. border with Mexico and internally in the United States. While a comprehensive solution to the immigration system's problems has not yet been devised through federal legislation, there has been a push at the federal, state and local levels to crack down on undocumented immigrants. This increase in enforcement includes efforts to locate and deport undocumented immigrants, more workplace raids, and other workplace enforcement mechanisms. Cooperation between local law enforcement agencies and Immigrations and Customs Enforcement (ICE) officials has also increased, with more local law enforcement officers taking part in enforcing federal immigration laws. This was enabled by a change in immigration law that took effect in 1996. The following information summarizes two programs (287(g) and Secure Communities) in which local law enforcement agencies cooperate with ICE. This is a controversial practice in many communities.

What is 287(g)?

"The Illegal Immigration Reform and Immigrant Responsibility Act (IIRAIRA), effective September 30, 1996, added Section 287(g), performance of immigration officer functions by state officers and employees, to the Immigration and Nationality Act (INA). This authorizes the Secretary of the U.S. Department of Homeland Security (DHS) to enter into agreements with state and local law enforcement agencies, permitting designated

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officers to perform immigration law enforcement functions.”² The 287(g) program is only one component under an umbrella of services and programs offered by ICE for assistance to local law enforcement officers.

What training do local law enforcement officials get?

They receive four weeks of training in immigration law, civil rights and racial profiling.

Who has 287(g) programs?

Currently 63 active 287(g) Memorandums of Agreement (MOA) exist nationwide. Eight of them are in North Carolina, including the Sheriff's Departments of Alamance, Cabarrus, Cumberland, Gaston, Henderson, Mecklenburg, Wake, Guilford and the Durham Police Department. The Cumberland County Sheriff decided to withdraw from 287(g) last fall.³

Under 287(g) who is questioned about their immigration status?

All arrestees brought to jail are asked these two questions:

- Of what country are you a citizen or national?
- Where were you born?

What happens if someone refuses to answer the questions?

The questions are considered part of an administrative review, not a criminal proceeding. Refusal to answer the questions may result in detention until the arrestee answers the questions or until after the arrestee's state or local charge is addressed in court. Also, because the questions are considered administrative, sheriff's deputies are not obligated to respond to an arrestee's request for an attorney before answering.

Under 287(g), how do sheriff's deputies determine immigration status?

Deputies trained in this program have access to several federal ICE databases which contain photos and fingerprints. Deputies are also trained in asking certain questions to help determine immigration status.

How many people have been deported under 287(g)?

Over 3,000 people in North Carolina have been deported under 287(g).

What are some problems with the 287(g) program that have been identified?

A [joint study](#) by the UNC Law School and the ACLU of North Carolina, has found the federal 287(g) program to be overly costly, riddled with Constitutional and state law violations, and “an ineffective means of immigration enforcement.” In particular, the study found that, instead of targeting violent criminals, law enforcement agencies participating in 287(g) have sought to “purge towns and cities of ‘unwelcome’ immigrants” by racially profiling Latinos at traffic stops, and in pre-textual detentions and arrests. This constitutional violation, the study found, has the counterproductive effect of

² From the ICE website, <http://www.ice.gov>

³ Most recent information available at the time of printing. Also see the ICE website, [http://www.ice.gov/partners/287\(g\)/Section287_g.htm](http://www.ice.gov/partners/287(g)/Section287_g.htm)

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marginalizing a vulnerable population, encouraging further harassment and civil rights violations, and discouraging the reporting of actual crimes.⁴

What is Secure Communities?

Secure Communities is a Department of Homeland Security (DHS) initiative to help federal authorities locate immigrants who have also been charged with crimes unrelated to immigration, including traffic violations. By the year 2013, DHS hopes to have Secure Communities running in all detention centers in the United States.

Who has Secure Communities programs?

As of August 30, 2009, 81 jurisdictions in 9 states are using Secure Communities. In North Carolina, several counties have Secure Communities programs.

Who is questioned about their immigration status under the Secure Communities Program?

Everyone who is brought to a detention facility is fingerprinted. The fingerprints are checked against the FBI's and the Department of Homeland Security's databases to check the criminal history and immigration status of a detainee.

Under Secure Communities, how do sheriff's deputies determine immigration status?

A detainee's fingerprints are automatically checked against the FBI's and DHS's databases. Once ICE has matched the fingerprints of a detainee it is up to ICE, not the sheriff, to decide whether ICE will take action against the person. ICE communicates its findings within hours. According to ICE, once a person is identified through the Secure Communities program, "responses may include such actions as: placing the alien immediately in ICE custody to avoid release; conducting personal interviews to gather additional information from the alien; placing detainers; and issuing charging documents." People placed in ICE custody, or having a detainer placed on them, cannot be released from the detention center.

How many people have been deported under Secure Communities?

The number of people deported is uncertain, but as of August 31, 2009, 82,890 biometric identification submissions resulted in an identification match. Of these, 7,702 were violent or narcotic offenders. As a result of the Secure Communities initiative, ICE issued 16,631 ICE "holds" after identifying immigrants who would have been detained.⁵

Sources for Additional Information

"The Policies and Politics of Local Immigration Enforcement Laws" by the Immigration and Human Rights Policy Clinic (UNC Chapel Hill) and the ACLU of North Carolina Legal Foundation, [http://acluofnc.org/files/287\(g\)policyreview_0.pdf](http://acluofnc.org/files/287(g)policyreview_0.pdf)

⁴ From: [http://acluofnc.org/?q=new-study-finds-dramatic-problems-287\(g\)-immigration-program](http://acluofnc.org/?q=new-study-finds-dramatic-problems-287(g)-immigration-program)

⁵ All of the above information is available from USCIS and ICE. It has been compiled into 287g and Secure Communities Fact Sheets in use by North Carolina Latino Advocacy organizations. Fact sheet data and language used with permission from the creators.

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Secure Communities Information from the United States Government

http://www.ice.gov/secure_communities/

287(g) Information from the United States Government

[http://www.ice.gov/partners/287\(g\)/Section287_g.htm](http://www.ice.gov/partners/287(g)/Section287_g.htm)

Materials and Preparation Needed

1. Computer with Internet access and projector with speakers
2. TV and DVD player
3. New Faces Film Clip “Why We Do This” In this clip, Wake County, N.C., Sheriff Donnie Harrison explains why he believes immigration checks are vital for the safety of his jail and his constituency. North Carolina is a leader in local immigration enforcement. Under the 287(g) program, a local law-enforcement agency partners with the Department of Immigration and Customs Enforcement, a branch of the Department of Homeland Security. North Carolina ranks second among all states for 287(g) partnerships, and more counties are eager to join. The partnership is designed to find criminal aliens. The participating North Carolina counties all use jail-enforcement models, which means that a suspect’s immigration status is checked only after he or she is arrested for another reason. Proponents say it is ridding the community of criminals. Opponents argue that it leads to racial profiling.
4. “Facing Deportation” website <http://facingdeportation.org/>
5. Background information on 287(g) and Secure Communities outlined above (may be reprinted and shared with learners directly)

Lesson Outline

Opening Writing Exercise

1. Ask learners to freewrite for 10 minutes on one of the following topics:
 - Topic A: What does “home” mean to you?
 - Topic B: Were you ever forced to move when you didn't want to?
2. Discuss learners’ responses to the freewriting assignment.

Exploring the “Facing Deportation” website

1. Review <http://www.facingdeportation.org> as a class. Start by opening “Causes and Process” and going through the slides in order. Then watch the “Why We Do This” clip. Alternatively “Why We Do This” may be played from the “New Faces” DVD.
2. Work with learners to answer their questions about the functioning of the 287(g) and Secure Communities programs as well as other immigration enforcement actions.
3. Pose a series of discussion questions to the class:

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- What is 287(g) and how does it work?
- What is Secure Communities and how does it work?
- Some see these programs as beneficial for community safety and national security. Others see these programs as problematic. Explain both points of view.

Assessment and Follow Up

Ask learners to write an essay that summarizes their understandings of immigration enforcement in North Carolina. Essays may make arguments, with learners outlining their beliefs about immigration enforcement practices in North Carolina.

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Unit 4 / Module 1 / Lesson 4 The Immigration Detention System

Objectives

1. Learners will analyze the state of the immigration detention system
2. In particular learners will learn about conditions that existed in one family immigration detention center in Texas and will evaluate the effectiveness and appropriateness of such facilities.

Framing Questions

1. What are the general conditions for people in immigration detention?
2. Is detaining children and their parents together in immigration detention facilities acceptable?
3. Where are people in custody most often detained? How does the movement of these people from facility to facility affect them and their families?

Backgrounder

The immigration detention system is complicated and is seen by many as having problems that need to be addressed. The following outlines some of those issues.

“Each year in the United States, several hundred thousand non-citizens (378,582 in 2008) are arrested and detained by Immigration and Customs Enforcement (ICE) officials. They are held in a vast network of more than 300 detention facilities, located in nearly every state in the country. Only a few of these facilities are under the full operational control of ICE—the majority are jails under the control of state and local governments that subcontract with ICE to provide detention bed space...

Although non-citizens are often first detained in a location near to their place of residence, for example, in New York or Los Angeles, they are routinely transferred by ICE hundreds or thousands of miles away to remote detention facilities in, for example, Arizona, Louisiana, or Texas. Detainees may also cycle through several facilities in the same or nearby states. Previously unavailable data obtained by Human Rights Watch show that over the 10 years spanning 1999 to 2008, 1.4 million detainee transfers occurred. The large numbers of transfers are due to ICE's broad use of detention as a tool of immigration control, especially after restrictive immigration laws were passed in 2006, and the absence of effective policies and standards to prevent unnecessary transfers...

Any governmental authority holding people in its custody, particularly one responsible for detaining hundreds of thousands of people in dozens of institutions, will at times need to transport them between facilities. In state and federal prison systems, for example,

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inmate transfers are relatively common, even required, in order to minimize overcrowding, respond to medical needs, or properly house inmates according to their security classifications. Transfers in state and federal prisons, however, are much better regulated and rights-protective than transfers in the civil immigration detention system where there are few, if any, checks. The difference in the ways the US criminal justice and immigration systems treat transfers is doubly troubling because immigration detainees, unlike prisoners, are technically not being punished. But thus far ICE has rejected recommendations to place enforceable constraints on its transfer power. As detailed below, ...transfers are even more common than previously believed and are rapidly increasing in number, more than doubling from 2003 (122,783) to 2007 (261,941) and likely exceeding 300,000 in 2008 once the final numbers are in. The impact on detainees and their families is profound. Transfers erect often insurmountable obstacles to detainees' access to counsel, the merits of their cases notwithstanding. Transfers impede their right to challenge their detention, lead to unfair midstream changes in the interpretation of laws applied to their cases, and can ultimately lead to wrongful deportations. Transfers also take a huge personal toll on detainees and their families, often including children."⁶

In addition to frequent transfers of detained immigrants there have been other problematic practices in place in the immigration detention system. One such practice is the detention of families with young children in facilities that are essentially no different than prisons. Although the most notorious of these facilities, T. Don Hutto Detention Center, in Taylor, Texas, is no longer housing families, and changes are being made to policies related to the detention of immigrants with young children, problems remain to be addressed. The following is the history of the detention practices at the T. Don Hutto facility.

"Before the attacks of September 11, 2001, the majority of immigrant families detained by the Immigration and Naturalization Service (INS) were released on their own recognizance, pending a hearing before an immigration judge. In the aftermath of 9/11, the Homeland Security Act split the responsibilities of the INS into three agencies and placed each agency under the authority of the newly created Department of Homeland Security (DHS). Congress passed more restrictive immigration policies, such as certain provisions of the USA Patriot Act, and ICE—one of the agencies under DHS—increased enforcement of immigration policies, determined to end a practice they refer to as 'catch and release.' As a result of these changes, ICE ceased to release many apprehended immigrant families, but due to a lack of capacity to deal with the increased detentions, the parents were often detained by ICE while the children were forcibly separated from their parents and sent to facilities operated by the Department of Health and Human Services' Office of Refugee Resettlement (ORR), Division of Unaccompanied Children's Services."⁷

⁶ From the summary section of *Locked up Far Away: The Transfer of Immigrants to Remote Detention Centers in the United States*, Human Rights Watch. Available at <http://www.hrw.org/en/node/86760/section/2>

⁷ From the Family Detention page of the website for the film *The Least of These*: <http://theleastofthese-film.com/familydetention/>

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Congress directed the Department of Homeland Security to use alternate methods for assuring that immigrants appear on their court dates and, when this is impossible, to use appropriate detention space to house families together. The website for the film *The Least of These* outlines the results of this decision: "Homeland Security Secretary Michael Chertoff followed the directions from Congress by no longer separating immigrant families, but instead of following Congress's expectations on how to deal with these families, Chertoff chose to detain immigrant families in the slightly modified T. Don Hutto Correctional Center..."

The Bush Administration reopened the T. Don Hutto prison facility in 2006 and began detaining immigrant children and families. Neither these children nor their parents are charged with any crime, and many of them are seeking asylum in the United States from persecution in their home countries. In February 2007, the Women's Refugee Commission and the Lutheran Immigration and Refugee Service co-authored a report called LOCKING UP FAMILY VALUES: The Detention of Immigrant Families. The following information is drawn from that report. The T. Don Hutto Center falls under the jurisdiction of U.S. Immigration and Customs Enforcement (ICE), which calls the facility a 'family residential center.' Yet, Hutto is a former Texas prison that is operated by the Corrections Corporation of America (CCA), the country's largest private prison company (taxpayers pay \$2.8 million per month to CCA, whose earnings surged as a result of the Hutto contract). Many of the detainees at Hutto are asylum seekers, signaling a historic shift in how the United States treats families and children fleeing persecution or torture in their home countries....

The Obama administration announced on August 6, 2009 that it will overhaul the nation's immigrant detention system. One immediate change: the government will stop sending families to the T. Don Hutto Residential Center.... Many concerns about detention policies remain, including the future of family detention. In 2007, a 'settlement' to improve conditions at Hutto was reached with Immigration and Customs Enforcement (ICE) as a result of a lawsuit filed by the ACLU and the University of Texas School of Law. The settlement mandated two years of enforceable standards and oversight. ICE has now agreed to extend the settlement until all families have left the facility.... On September 18, 2009, the AP reported that the last families have left the Hutto facility, which will now be used only for adult women. Family detention continues at the Berks facility in Pennsylvania, and ICE is still considering the future of family detention policy overall."⁸

Materials and Preparation Needed

1. "New Faces" DVD Clip "Detaining Immigrant Families" This clip introduces viewers to the concept of family detention, the practice of holding immigrant parents and their children in detention facilities. The U.S. government, as part of a policy to end what it termed the "catch and release" of undocumented immigrants, opened the T. Don

⁸ From *The Least of These* website. <http://theleastofthese-film.com/familydetention/> The quoted information on this website was drawn from the original source material: LOCKING UP FAMILY VALUES: The Detention of Immigrant Families a report by the Women's Refugee Commission and Lutheran Family Services. <http://www.womensrefugeecommission.org/docs/famdeten.pdf>

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Hutto Residential Center in 2006 as a prototype family detention facility. The facility is a former medium-security prison in central Texas operated by CCA (Correctional Corporation of America), the largest private-prison operator in the nation. The facility housed immigrant children and their parents from all over the world who were awaiting asylum hearings or deportation proceedings. In this clip we meet two families, one Iranian and one Honduran, who have been detained at the facility, and lawyers working on their behalf. This clip and the larger film lead viewers to consider how core American rights and values — presumption of innocence, the protection of children, upholding the family structure as the basic unit of civil society, and America as a refuge of last resort — should apply to immigrants, particularly children.

2. Computer with Internet access and projector with speakers
3. TV and DVD player
4. Additional Resources on ICE detention practices and proposed reforms
 - ICE Factsheets on Immigration Detention Reforms
http://www.ice.gov/pi/news/factsheets/2009_immigration_detention_reforms.htm
 - ACLU press release, "DHS Plan To Improve Immigration Detention An Encouraging Step," http://www.aclu.org/immigrants-rights_prisoners-rights/dhs-plan-improve-immigration-detention-encouraging-step

Lesson Outline

Film Clip and Discussion

1. Introduce and watch the clip, "Detention of Immigrant Families"
2. Ask learners to offer their initial feedback on the clip. How do they feel about the fact that children are incarcerated with their parents? What new information did they learn from the clip?
3. Provide learners with the update that the facility has been closed (see backgrounder above) and discuss the following: If this facility has already been closed, why is it important to discuss the conditions that existed there? What lessons should we take away from this situation?

Investigating Alternatives to Detention

1. In the clip it is suggested that there could be alternate ways of housing families who need to be detained for immigration cases. Tell learners that they will be investigating some alternatives to detention for these families.
2. Direct learners to conduct internet research on alternatives to family detention. A wealth of information is available online.

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3. Learners should report their findings to the group. Learners might use a graphic organizer, written report, drawings, or other creative means to share their new understandings on alternatives to detention.

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Unit 4 / Module 2 / Lesson 1 Immigration: Myths vs. Facts

Objective

Learners will explore myths and facts about undocumented immigrants and will learn media literacy skills that help them analyze future claims about immigrants with which they might be confronted.

Framing Questions

1. What are common stereotypes and ideas held about immigrants, documented or undocumented? What are the origins of many of these stereotypes?
2. Where can we look for factual information on subjects such as immigration rather than depending on word-of-mouth or other sources of information that may be incorrect?

Backgrounder

Common myths and stereotypes persist about immigrant communities and should be addressed. Many of these myths are connected to questions of economics. For example, one common myth is that undocumented immigrants don't pay taxes. In fact all immigrants pay sales taxes when they purchase goods and services and many pay payroll taxes at their workplaces. This lesson explores several myths and facts about immigration and immigrants and encourages students to seek out factual information.

Discussing some of these myths about immigration may arouse strong sentiments from some learners. It is therefore important to discuss ground rules for discussing sensitive issues before beginning a lesson. The opening activity in this lesson is the setting of ground rules for the rest of the discussion.

Materials and Preparation Needed

1. ACLU, "Immigration Myths and Facts"
<http://www.aclu.org/immigrants-rights/immigration-myths-and-facts>
2. Anti Defamation League, "Myths and Facts About Immigrants and Immigration"
http://www.adl.org/education/curriculum_connections/spring_2009/supplements/Myths_and_Facts.pdf
3. Immigrants' List, "The Immigration Debate: Myths vs. Facts"
http://www.immigrantslist.org/myths_vs_facts
4. One America, "Myths and Facts on Immigration"
<http://www.hatefreezone.org/article.php?id=203>

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5. Additional web resources for fact checking include: <http://www.politifact.com/> and <http://www.factcheck.org/>
6. Prepare 5 small pieces of paper or index cards. Each card should have one of the following myths about undocumented immigrants written on it.
 - Undocumented Immigrants don't pay taxes.
 - Crime has increased as the numbers of immigrants have increased.
 - Immigrants have an overall negative effect on the economy.
 - Immigrants are a drain on social services.
 - Immigrants don't want to learn English.

Lesson Outline

Generate Ground Rules

1. Explain to participants that you would like to set guidelines for the day's discussion because it is about a controversial topic. If you have general guidelines for your classroom or group you may want to revisit them to make sure they are still appropriate.
2. If you do not have a previous set of conversation ground rules, allow participants to make suggestions, popcorn style.
3. After you have created a list of several ground rules, revisit each one and confirm that it is acceptable to all participants. Ask all learners if they can agree to all of the guidelines.

Immigration Myths and Facts

1. Divide the class into 5 small groups. Explain that each group is going to be asked to debunk one myth about undocumented immigrants. Learners may use the provided immigration fact sheets, websites of news organizations, or other reference material to provide factual information that disproves the myth that they have been assigned.
2. Ask one person from each group to draw a piece of paper from the basket that you have prepared. Each piece of paper contains one myth about undocumented immigrants.
3. Give groups about 10 to 15 minutes (depending on your assessment of the learners' needs and abilities) to read the myth and discuss their initial reactions to it. Then ask them to review the fact sheets listed in the materials section and to do additional research. The group will also need to prepare a short presentation including visual aids to share their information with the group.
4. Each group will report back to the class on the factual information that they learned that contradicts the myth they were assigned. Allow a few minutes for discussion of the information after their presentation.

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Media Literacy Extension Activity

1. Ask students to watch the nightly news, cable news, or to read the newspaper for a set number of days.
2. Learners should record statements made by commentators and reporters about immigration issues.
3. Learners should then work to fact-check the statements using some of the sources identified in this lesson or through other sources of information. Learners should research the affiliations of the commentators, their general political stances, and should evaluate the accuracy of the information reported. Additional web resources for fact checking include: <http://www.politifact.com/> and <http://www.factcheck.org/>
4. Learners will then submit a report or essay that outlines their observations.
5. Alternatively, this lesson could be done as a group, with the facilitator bringing in clips from news shows, articles, or other pieces of media.

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Unit 4 / Module 2 / Lesson 2 Immigration Law vs. Family Law

Objectives

1. Learners will gain understanding of an individual Latino immigrant's decision to come to the United States
2. Learners will be able to compare and contrast the experience of an undocumented immigrant with their own experiences or those of a family member.

Framing Questions

1. What can we learn about reasons for migration by listening to immigrants' personal stories?
2. How do our relationships with our families and loved ones influence decisions that we make?

Materials and Preparation Needed

1. New Faces DVD Film Clip, "Ramon's Family Law": We meet Ramon, who entered the United States illegally seeking work. He states in the film that although he understands that he has broken U.S. immigration law, he feels he has followed "family law," which is to provide for his family. We see images of Ramon's family back in Mexico, his wife and two daughters, who are now teenagers. He says he would much rather be with them in Mexico, but their financial reality does not permit it.
2. TV and DVD Player
3. Computer with Internet access and projector with speakers

Lesson Outline

Think. Pair. Share.

1. Ask learners to think about someone in their lives who cares about them. Maybe it is a parent or a good friend. Ask them to think about a sacrifice that this person has made for them. What was the sacrifice? Do they think the person would do it again?
2. Ask learners each to turn to the person next to them and share their answers to these questions.
3. Ask the pairs to think about what similarities and differences their stories have.

Film Clip

1. Introduce and show the video clip, "Ramon's Family Law."

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2. Lead a discussion about the film clip using the following questions:
 - Discuss the pictures of Ramon's family that you saw in the film. Why does Ramon say about his family, "We need to be strong and see the reality of life?"
 - What are Ramon's hopes and dreams for his wife and family?
 - What challenges must he overcome to realize his hopes and dreams?
 - What does Ramon mean by "family law?" What do you consider your family law to be?
 - Do you think you would choose the same path as Ramon if faced with his situation?
 - How do our families' circumstances, including economics, immigration status, education, etc., shape our dreams and how we realize them?

Writing Activity or Homework Assignment

1. Ask learners to think about the hopes and dreams they have for their own families or, for younger learners, the hopes they think their parents have for them.
2. For homework or an in-class assignment, ask learners to write a one-page essay comparing their parents' hopes and dreams for their families with those that Ramon expresses.

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Unit 4 / Module 2 / Lesson 3

Undocumented: A State of Limbo

Objectives

1. Learners will better understand the situation of individuals who came to the United States as children and who are living here without documentation.
2. Learners will be able to explain the limitations and struggles facing people in these situations.

Framing Question

What might it feel like to have lived the majority of your life in this country and to know that you could be forced to return to country of your birth at any time?

Backgrounder

Many young people come to the United States as children because their parents brought them here. Some of those young people have documentation, some do not. Either way, they grow up and come to know the United States as their home. They may have come at a young enough age not even to remember the country of their birth. However, those who are undocumented live in a permanent state of limbo, unable to fully participate in the life of the country they consider their own, but unprepared to return to the country of which they are citizens.

Materials and Preparation Needed

1. Computer with Internet access and projector with speakers
2. TV and DVD player
3. New Faces DVD Film Clip: "Living Between Borders" Isabel has learned to live with fear. That is what she must do to remain with her family. She came to the U.S. at the age of 13. Today, she is 29. Her whole family — including her daughter — is documented, but she is not. She has considered returning to Mexico, but her life and her world are here. She does not know her birth country well enough to survive there. With the current laws, she has no option of becoming documented. Even applying for residency would bring a penalty of 10 years in Mexico for having entered illegally. So, Isabel waits for the laws to change and prays that she is not unmasked in the interim.
4. Colored pencils, crayons, or markers
5. Blank paper
6. Student journals or paper for writing and drawing

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Lesson Outline

Between Two Worlds

1. Ask learners to think about the ways in which their lives straddle different worlds or different arenas of life that are very different. Perhaps for some it is the world of school and home life; for some it might be their roles as professionals versus their roles as parents; for others it might be living between two cultures (e.g. a person whose parents come from different cultural or ethnic backgrounds).
2. Ask learners to take 10 to 15 minutes to create a simple drawing of these two worlds, showing themselves in the middle.
3. As a class discuss the learners' feelings raised by straddling these two worlds, or living in limbo between them. How do the learners navigate their two worlds?

Film Clip and Response

1. Introduce and watch the clip, "Living Between Borders."
2. Ask learners to free-write for 5 minutes, exploring their initial responses to the clip.
3. Ask a few learners who feel comfortable doing so to share their responses or to summarize what they wrote.
4. Use these responses as the jumping-off point for a group dialogue about Isabel's situation. The following are suggested discussion questions:
 - Why did Isabel come to the United States?
 - What are Isabel's biggest fears?
 - Isabel talks about the possibility of being separated from her daughter. Do you think that keeping families together should be a factor when immigration policy is created or changed?
 - What can we learn about the U.S. Immigration system from Isabel's story?

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Unit 4 / Module 2 / Lesson 4

The Personal Impact of Immigration Enforcement on Families

Objective

Learners will be able to analyze and think critically about the ways in which immigration policy affects individuals.

Framing Questions

1. How does deportation affect the families of those individuals who have been deported or could be deported?
2. How does immigration detention affect the families of the person being detained?
3. Do alternatives to deportation and detention exist that would be just and beneficial to all members of our communities?

Backgrounder

Immigration Detention Centers are located across the country. Review this interactive map to find out about immigration detention centers.

<http://www.detentionwatchnetwork.org/dwnmap>

Materials and Preparation Needed

1. "New Faces" DVD Clip, "Phone Calls from Papi" Linzi, a U.S. citizen, fell in love with Domingo, a Mexican immigrant, when she was 13 years old. They married in 2006. They have three daughters together. Domingo was detained in June 2008 during an appearance at the Wake County Courthouse. He was questioned about his citizenship after law enforcement officers noticed his tattoos. He was taken into immigration custody. Linzi was left to care for their children on her own. Unable to support her family alone, she moved in with her mother. In February, Domingo was released. Linzi's story — one of not knowing if Domingo would ever be released — reflects the uncertainty that thousands face.
2. "New Faces" DVD Clip, "A Father's Sacrifice" In this clip viewers meet John, who came to North Carolina from Acapulco three years ago. He was 15. He enrolled in high school and excelled. He learned English quickly and made his father proud. In September 2008, John was arrested for a petty theft that his friends say he didn't commit. Instead of attending high school, John sat in jail, headed for deportation. Posting bail in immigration proceedings is complicated and expensive. John's father struggled to raise the \$3,500 needed for bail in addition to lawyer fees. Although the family's lawyer knew that the charge would be dropped, he had the criminal trial delayed to give John's father more time to raise the money before John was to be transferred to federal custody and deported.
3. Computer with Internet access and projector

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4. TV and DVD player
5. <http://www.detentionwatchnetwork.org/dwnmap>
6. www.facingdeportation.org
7. "I Am in Immigration Detention," handout (PDF) available from the New Faces website and from http://www.nationalimmigrationproject.org/ImmRightsRes/crkit_files/KYRDetention.pdf
8. Additional resource: "Torn Apart by Deportation," *ColorLines* magazine <http://colorlines.com/article.php?ID=618>

Lesson Outline

Freewriting Exercise

1. Ask learners to free-write for 10 minutes about a time in their lives when they were in the wrong place at the wrong time, a scenario in which they might not have been doing anything wrong but were in a sticky and perhaps problematic situation.
2. Ask learners to write about how they felt at the time and about any consequences that resulted from the incident.

Film Clips

1. Transition to the film clip by noting that students are also going to view a short video about a young man who was in the wrong place at the wrong time and for whom this resulted in incredibly difficult circumstances for him and his family.
2. If viewing the clip on the website, have a student read the summary of the video. Otherwise consider having one person read the summary in the materials section above.
3. Show the clip, "A Father's Sacrifice"
4. Follow up with a free-writing exercise. Ask students to take 5 minutes to write down their initial responses to the clip.
5. Discuss the clip using the following questions:
 - What sacrifices did Ignacio have to make for his son?
 - What are the possible outcomes for the family if John is deported?
 - Why might the immigration bail be so high?
 - Could you think of alternatives to incarcerating the young man? What might these be?

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- How might this family's experience affect the wider community in which they live?
 - How does immigration detention affect the wider community, not just immigrants themselves?
6. Transition to the film clip, "Phone Calls from Papi"
 7. Watch the clip and then discuss the following questions:
 - Why wouldn't ICE release Domingo?
 - How does his absence and unknown future affect his family?
 - How might have Domingo's background affected his experience?
 - What can you learn about the rights that Domingo has while in detention from this clip?

Learning About What Happens When People Are Detained by ICE

1. Transition to a discussion and information session on what happens when a person is in immigration detention. Start by asking the class what they think happens when someone is detained by immigration and customs enforcement.
2. Ask learners to review the handout, "I Am in Immigration Detention," and to answer the following questions in pairs:
 - What rights do people in immigration detention have?
 - How can their family find out where they are?
 - What is the difference between being detained by a immigration officer or a local law enforcement officer?
 - Where will the person be detained?
3. As a group create a summary list of the rights that a person in immigration detention has.