

THE I CAN END DEPORTATION CURRICULUM

Copyright © 2008 Published by **Breakthrough: building human rights culture**

Breakthrough: building human rights culture

4 West 37th Street, 4th Fl. || New York, NY 10018

Tel: 212.868.6500 || Fax: 212.868.6501

E-mail: iced@breakthrough.tv

<http://www.breakthrough.tv>

Lead Curriculum Developer **Jessamyn Waldman**

Contributors **Ruth Heit** and **Madhuri Mohindar**

Designer **Keith Leung**

We encourage free use and reproduction of the ICED - I Can End Deportation video game curriculum. Please contact us to let us know how you have used this curriculum and its effectiveness. When using, please cite Breakthrough as: www.breakthrough.tv

Help us promote human rights. Please take the online pre- and postgame survey and have your students do the same so we can better understand and track the effectiveness of the ICED video game (www.icedgame.com).

Breakthrough is an international nonprofit human rights organization that uses education, media, and popular culture to transform public attitudes and promote values of equality, justice, and dignity. Our goal is to build more equitable and democratic societies invested in sustaining human rights values. Breakthrough works through affiliate offices in the United States and India.

In the United States, Breakthrough's focus is on immigrant rights and how to apply a human rights perspective to domestic issues. In India, our focus is women's rights and the intersection between gender-based violence and HIV/AIDS. We produce a range of new media including video games, vlogs, and flash animations to raise awareness and transform attitudes to create broader support for human rights.



Table of Contents

Section I. p. 5
Overview of ICED - I Can End Deportation Video Game and
How to Use the Curriculum in Your Classroom

Section II. p. 11
Context and Background

Section III. p. 17
Lesson Plans

Lesson One
Human Rights Basics: What All Americans Need to Know p. 19

Lesson Two
Human Rights and Immigration Laws p. 35

Lesson Three
Immigration Law in the United States p. 49

Lesson Four
American Values? The Human Rights of Immigrants Post-9/11 p. 63

Appendices

A. Glossary of Terms p. 73

B. General Resources p. 77

C. Take Action p. 85

D. ICED - I Can End Deportation Video Game Map p. 91

E. Links to New York State Standards and Regents Exam Themesp. 111



Section I

Overview of ICED - I Can End Deportation Video Game and How to Use the Curriculum in Your Classroom

HOW TO USE ICED - I CAN END DEPORTATION VIDEO GAME AND THE ACCOMPANYING CURRICULUM IN YOUR CLASSROOM

Introduction

The topic of immigration and immigrants in the United States never fails to spark lively and passionate reactions. As you teach about it, you'll find that your students have widely varying opinions, stories, and misconceptions about immigration. The ICED video game and this corresponding curriculum are tools to demystify the immigrant experience while also debunking myths and stereotypes.

These materials are about current United States immigration laws that deny due process, and how this relates to violations of human rights. The laws highlighted in ICED affect ALL immigrants: legal residents, green card holders, asylum seekers, undocumented immigrants, and individuals on student visas. These laws have a direct impact on all citizens as they relate to American values of justice, and the right to due process. It is our goal to teach students about the current laws, in order to create a generation of civically engaged Americans.

As you play the game with your students and facilitate the lessons in this curriculum, there are four key points that you may want to reiterate. Current immigration laws on detention and deportation allow the government to detain and deport legal residents, people with a wide variety of visas, and undocumented immigrants without a trial, without a lawyer, and without any due process. Despite the far-reaching consequences of deportation, judges can only rubber-stamp the decisions of the Bureau of Immigration and Customs Enforcement (ICE) officials and have no power to review the particular circumstance of each case.

The laws:

- Deny due process and deport people without a hearing.
- Tie judges' hands and prevent them from considering the circumstances of each individual case.
- Often impose extreme punishment for minor offenses.
- Hold immigrants in detention indefinitely.

When we let the government deny due process and human rights for some people, we put all of our freedoms at risk.

Audience and Facilitation

The video game and the lessons are created to use with high school and college students. With proper adjustments, teachers will find that they can also be used successfully with middle school students.

Download the ICED video game at www.icedgame.com and take the online pre- and postgame survey. For best results, each student should have access to a Windows PC or Macintosh computer and the teacher should be able to model the game play using an LCD projector or Smartboard. In schools where technology is limited, students sharing terminals will be able to successfully play the game. If computers are not available in your school, the lessons can be used effectively to teach about immigration laws without the video game.

The four lessons here provide lively classroom discussion and follow-up work. The video game will provide several hours of student engagement. There are two levels to the game. Each student will want to complete each level, which could take up to an hour. Since student's decisions are informed by playing the game, you may want to allow them to play several times using different characters and answering the questions in different ways. If class time

is limited, you may choose to set up lunchtime or after-school game times in the computer lab or library and use class time only for lesson plans.

This curriculum emphasizes the importance of giving students the opportunity to take action and express their dissatisfaction with the current immigration laws in the United States. Teaching about human rights and laws is important, but it is equally important to empower students to make a change (see Appendix C: Take Action). Breakthrough urges teachers, even if they only choose one or two of the lessons in this curriculum, to encourage all students to take part in one of the actions described in Appendix C.

The handouts are at the back of each lesson. Teachers can reproduce these as they see fit.

Recommended Chronology of Unit on Fair Immigration Laws and Human Rights

Ideally, you should be able to dedicate 10 45-minute class periods to a unit on immigration and immigration policy in the United States. Such a unit will satisfy New York State Social Studies and English Language Arts Standards and assist in the preparation of students for the New York State Regents Examinations (see Appendix E). Breakthrough recommends the following chronology of lessons to best cover these complicated issues and utilize the ICED game to its fullest.

Day 1 - Introduction to Unit, ICED Video Game and Due Process. Students are given time to download the game at www.icedgame.com (may take up to 10 minutes).

Day 2 - Students learn the rules, play ICED and discuss.

Day 3 - Lesson One: Human Rights Basics: What All Americans Need to Know.

Days 4 and 5 - Lesson Two: Human Rights and Immigration Laws.

Days 6 and 7 - Lesson Three: Immigration Law in the United States.

Day 8 - Lesson Four: American Values? The Human Rights of Immigrants Post-9/11.

Days 9 and 10 - Take Action and Unit Wrap-up.

Depending on the needs of your classroom, more time may be dedicated to any of the lessons in this curriculum.

What to Expect when Playing ICED

ICED is a video game about immigration laws that deny due process. It exposes unfair immigration laws that detain and deport people without due process and respect for human rights. These laws affect all immigrants: legal residents, those fleeing persecution, students, and undocumented people.

The game enables the player to live the day-to-day life of an immigrant youth who is living with the threat of being detained and deported. Players choose to be one of five characters. Each character is an immigrant teenager from a different region of the world with a different immigration status and ethnicity:

Ayesha (India) - Green card holder.

Javier (Mexico) - Undocumented immigrant.

Marc (Haiti) - Sought asylum and is now a green card holder.

Anna (Poland) - Believes she is a citizen but has been defrauded by a bad lawyer.

Suki (Japan) - F-1 student visa holder.

(See Appendix D: ICED Video Game Map for more details).

ICED Video Game Basic Rules

The object of the game is to become a citizen of the United States.

As an immigrant teenager, you try to avoid ICE officers by making correct moral choices in response to various scenarios. You will learn about immigration laws by answering myth and fact quizzes and can earn civic points by doing good deeds in the community. If you lose, your character goes to detention.

Once detained, you could be in jail for an unknown amount of time, enduring unjust conditions, sent to the hole-solitary confinement, and possibly deported back to a country you may have never known.

Rules:

- You'll start with 100 points, but if you lose them you will be automatically detained.
- Find out how much you know about immigration.
- Test your character.
- Earn civic points for doing positive things in your community.
- Good behavior keeps you in Level One-The City.
- Wrong moves increase your chance of being hunted down and caught by ICE officers and sent to Level Two-Detention.
- Once detained you will be in jail for unknown amounts of time, sent to the hole-solitary confinement, and possibly deported back to a country you have never known.
- So keep your cool and don't get into trouble.

Mission:

Your mission is to stay out of detention by making good decisions and doing positive things for your community. If you do these actions, you have the chance of becoming a citizen of the United States.

Your mission is to locate all of the quizzes and civic points. Also at key locations your character will be tested. All of these actions could earn or lose you points. If you lose too many points, ICE officers will catch you and send you to detention. If you're successful at answering the questions and avoiding the immigration officers, you'll have the chance to play a "minigame" to become a citizen.

Read a more detailed description of the rules and game at www.icedgame.com or use Appendix D in this curriculum as a reference while playing and facilitating learning with the lessons and the video game.



Section II

Context and Background

Teachers may want to provide copies of this information to students as background for the introductory lesson.

CONTEXT AND BACKGROUND

What immigration policies threaten United States' commitments to freedom and human rights?

The United States is founded on principles of individual and human rights. These include: economic rights, such as the right to food and shelter, and civil and political rights, such as voting, the right to equal treatment under the law, and due process. However, today in the United States fundamental freedoms are being denied to immigrants, and this threatens the American way of life. United States immigration policy has been crafted in a way that calls into question many rights that are internationally and nationally guaranteed to all human beings.

Current United States immigration laws have devastated our immigrant communities, as they now live in fear of detention and deportation without due process. Many think that such policies only affect undocumented migrants. This is not true: legal permanent residents, legal temporary residents such as students or professionals, and asylum seekers are all at risk because of these policies. In fact, everyone's rights are at risk because it calls into question the inalienability of the value of due process.

What Is at Issue?

Immigrants are being detained and deported without access to due process. Due process is an established course for judicial proceedings or other governmental activities designed to safeguard the legal rights of the individual. It is a broad term that implies one's access to the courts and a chance for your case to be heard before a judge.

Current immigration laws have greatly expanded the types of crimes for which legal and undocumented immigrants are being detained and deported. The laws now include hundreds of new offenses, including minor crimes such as shoplifting or jumping a subway turnstile, for which the person did not serve any jail time.

The laws for detention are mandatory. This means that the government has a blanket policy of automatically imprisoning thousands of immigrants while they await deportation hearings. This detention process shows that disregard for human rights is not only occurring in Guantanamo, but often right here in our own backyard.

The laws for deportation are also mandatory. So if an immigrant breaks a law, whether they are here legally or not, the judge is required to automatically deport him, no matter how long ago the crime was committed, how minor the infraction, how long the immigrant has lived here, or whether they have a spouse or children here. Judges' hands are tied and they cannot evaluate the circumstances of individual cases, even if they think someone deserves to stay in the United States.

What Is Immigration and Customs Enforcement?

Each year, the Department of Homeland Security (DHS) undertakes immigration enforcement actions involving hundreds of thousands of immigrants. These actions include the arrest, detention, and removal from the United States of immigrants who are in violation of the Immigration and Nationality Act (INA). Immigrants are considered in violation of the INA and lose legal status: by failing to abide by the terms and conditions of entry, or by engaging in crimes, including minor crimes.

The responsibility for the enforcement of immigration law within DHS rests with two bureaus:

- The Bureau of Customs and Border Protection (CBP) that controls borders.
- The Bureau of Immigration and Customs Enforcement (ICE) that is responsible for enforcing immigration laws within the interior of the United States.

What Is Detention?

Legal and undocumented immigrants who are awaiting deportation hearings are kept in detention. Detention centers are basically prisons that are run by the government or private companies.

Immigrants are detained for a variety of reasons, such as committing a criminal offense, seeking asylum, or having undocumented immigration status. Conditions are often harsh. Detainees have limited access to communication and are transferred from one part of the country to another, without regard for access to their family and lawyers. Since 2004, 66 people have died in detention—including legal permanent residents—with numerous allegations of medical negligence¹.

Detention Centers not only house individual detainees, but are also increasingly housing families. In 2006, a facility was built in Texas to detain families. The “Detention of Immigrant Families” report² describes this “practice of detaining families in jail-like, criminal settings” where families are allowed no more than twenty minutes to eat at mealtime and children receive less than one hour of schooling per day.

Number in Detention Today

On any given day, the system overseen by the Bureau of Immigration and Customs Enforcement (ICE) detains about 27,500 people or over 230,000 people a year³. Since 1994, the average daily detention population has grown five times over, from 5,532 to 27,500.

Cost of Detention

The government spends 1.2 billion dollars of taxpayer’s money each year to detain immigrants, some of whom have committed no crime. It costs between \$50–95 a day to keep people in jail—more than it costs to educate a child⁴.

The vast majority of detainees—approximately 63 percent—are held at hundreds of city and county jails around the nation alongside convicted criminals, even though many immigrants face deportation for civil violations.

Indefinite Detention

Once immigrants are detained, there is no limit to how long it might take before they are released. Most immigrants have no option for bail, and have no idea when their case will be resolved.

¹ “New Scrutiny as Immigrants Die in Custody,” *The New York Times*, June 26, 2007.

² “Locking Up Family Values: The Detention of Immigrant Families,” *Women’s Commission for Refugee Women and Children and Lutheran Immigration and Refugee Service*, February 2007.

³ “Detention and Removal of Illegal Aliens,” *Office of Inspector General, Department of Homeland Security*, April 2006.

⁴ “Immigration Enforcement Benefits Prison Firms,” *The New York Times*, July 19, 2006.

Lack of Legal Assistance

84 percent of all detained immigrants have no lawyer⁵. Many immigrants, especially if they are undocumented, do not even get the chance to appear before a judge.

Where Is the Judge?

Right now, our laws tie judges' hands despite the far-reaching consequences of deportation. This means that if a person is found to be in violation of strict immigration law, judges can only rubber-stamp the decisions of immigration officials, and have no power to review the particular circumstances of the individual case.

What Is Deportation?

Deportation is the expulsion of an immigrant from the United States. Every immigrant who is a noncitizen, regardless of how long they have been in the United States, is vulnerable to permanent exile from their families and lives in the United States.

Number of Deported Immigrants

Deportation rates are on the rise. Since 1996, almost 2 million⁶ legal and undocumented immigrants have been deported for a variety of reasons including nonviolent offenses or undocumented status.

The Department of Homeland Security claims it is removing violent criminals, but will not release complete numbers. Human Rights Watch⁷ estimates that more than 500,000 people have been deported for nonviolent offenses, many of which are minor, as compared to 140,000 for violent offenses.

Approximately 1.6 million spouses and children living in the United States have been separated from their spouse or parent because of these deportations.

⁵ "The REAL DEAL: Detaining America's Immigrants: Is this the best solution?" The Real Deal Fact Sheet Series, *Detention Watch Network, The National Immigration Project and the Rights Working Group*.

⁶ "Yearbook of Immigration Statistics: 2005," *Department of Homeland Security*, 2005.

⁷ "Forced Apart: Families Separated and Immigrants Harmed by United States Deportation Policy," *Human Rights Watch*, July 2007.



Section III

Lesson Plans

ICED CURRICULUM

LESSON ONE

HUMAN RIGHTS BASICS: WHAT ALL AMERICANS NEED TO KNOW

Essential Question

Is the government of the United States meeting international commitments to defend the human rights of all people, including immigrants in this country?

Time

One 45-minute period. Additional time needed for assessment, extension activity and homework.

Objectives

Students will be able to:

- Define and describe human rights.
- Discuss a key human rights instrument.
- Evaluate if the human rights of immigrants are being upheld in the United States.
- Argue for stronger laws to protect the human rights of all.
- Compare and contrast civil rights and human rights.
- Respond to questions on the New York State Global History Regents Exam about human rights.

Corresponding Handouts

At the end of this section find:

- Class copy of Universal Declaration of Human Rights (UDHR) (Handout 1).
- Fill in the blanks exercise using UDHR (Handout 2).
- Extension: Class copy of Human Rights vs. Civil Rights (Handout 3).
- Essay question from New York State Regents Exam (Handout 4).

Do Now Activity

Give each student a copy of the Universal Declaration of Human Rights (Handout 1).

Post the following on a large sheet of paper or on the blackboard (see Handout 2).

Complete these sentences in your notebook using your copy of the Universal Declaration of Human Rights (UDHR). (Answers may differ).

Nearly everyone in the United States enjoys the right to _____, which is guaranteed by article _____ of the UDHR.

There are many children in the United States who do not enjoy the right to _____ because families cannot afford health insurance. However, this right is guaranteed in article _____ of the UDHR.

Not hiring a person for a job because of the color of their skin is a violation of article _____ of the UDHR, which guarantees freedom from _____.

The right to _____, article _____ of the UDHR, is commonly violated for many new immigrants to the United States.

Teacher fills in the blanks and explains to students that the UDHR is the first and most important articulation of the fundamental rights of all human beings. It was adopted by the United Nations General Assembly on December 10, 1948. It is the first comprehensive agreement among nations regarding the specific rights and freedoms of all humans. The UDHR is a guideline, not a law.

Follow-up question: Which articles of the UDHR do not apply to immigrants to the United States? (This is a trick question. Human rights apply to all humans!)

Activity 1- What Are Human Rights?

1. Introduce the activity to students:

“Human rights are freedoms and protections that people are entitled to because they are human beings. We all have the exact same human rights, but many people do not enjoy them in the same ways. In this activity, you will each consider one important principle of human rights and learn about four others.”

2. Divide the class into five groups. Each group is assigned one of the following principles. You can put these on an overhead or provide each group with a printout.

Human Rights are universal

They belong to everyone, regardless of their race, sexuality, citizenship, gender, nationality, ethnicity, or abilities.

Human Rights are inherent

We are all born with human rights. They belong to people simply because they are human beings.

Human Rights are inalienable

They cannot be taken away—period. No person, corporation, organization, or even government can deprive another person of his or her rights.

Human Rights can be violated

Although they are inalienable, they are not invulnerable. Violations can stop people from enjoying their rights, but they do not stop the rights from existing.

Human Rights are essential

They are essential for freedom, justice, and peace.

3. Each group will prepare a 30-second presentation with “pizzazz” (i.e., you can use visual effects, dramatization, examples, or poetry) to explain what your principle means and why it is important. Each group should discuss and research using an Internet search engine and dictionary.

Modification: For high functioning students or older students, just provide the principles. For lower levels, provide groups with the short explanations above.

4. Each group has only 30 seconds to perform their presentation. Teacher or assigned student keeps time and notifies groups when they are almost out of time.
5. Teacher summarizes presentations and, time permitting, conducts a short discussion about human rights and their application in the United States.

Homework Question 1

The fifth human rights principle discussed in class today states that human rights are essential for freedom, justice, and peace. In one paragraph, describe how standing up for the human rights of people who are incarcerated is an act that protects justice.

Post a link on your Facebook Wall to one organization that is dedicated to prisoners’ rights.

Homework Question 2, Using ICED

When you play Level One of ICED, your character will encounter a couple fighting. As a witness of domestic violence, you may pick-up the phone and report it or walk away. Based on what you find out from the game, do most immigrants report incidents of domestic violence or other dangers? How are a woman’s rights being violated if she does not feel safe enough to call the police?

Homework Question 3, New York State Regents Exam Preparation: Essay

Adapted from 2003 New York State Global History Regents Examination (see Handout 4).

Directions:

Write a well-organized essay that includes an introduction, several paragraphs addressing the task below, and a conclusion.

Task:

- Define the term “human rights.”
- Identify two examples of human rights violations that have occurred in a specific time and place.
- Describe the causes of these human rights violations.
- For one of the violations identified, discuss one specific effort that was made or is being made to deal with the violation.

Extension Activity

Students who have studied human rights or civil rights before may find it interesting to compare the two. To use this teachable moment, see Handout 3, which includes a description of human rights and civil rights. Have students complete the Venn diagram graphic organizer by making a note of similarities and differences between human rights and civil rights.

UNIVERSAL DECLARATION OF HUMAN RIGHTS

On December 10, 1948 the General Assembly of the United Nations adopted and proclaimed the Universal Declaration of Human Rights the full text of which appears in the following pages. Following this historic act the Assembly called upon all Member countries to publicize the text of the Declaration and “to cause it to be disseminated, displayed, read and expounded principally in schools and other educational institutions, without distinction based on the political status of countries or territories.”

Preamble

Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people,

Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law,

Whereas it is essential to promote the development of friendly relations between nations,

Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have

determined to promote social progress and better standards of life in larger freedom,

Whereas Member States have pledged themselves to achieve, in co-operation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Whereas a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,

Now, Therefore THE GENERAL ASSEMBLY proclaims THIS UNIVERSAL DECLARATION OF HUMAN RIGHTS as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

Article 1.

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2.

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin,

property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

Article 3.

Everyone has the right to life, liberty and security of person.

Article 4.

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Article 5.

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 6.

Everyone has the right to recognition everywhere as a person before the law.

Article 7.

All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Article 8.

Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

Article 9.

No one shall be subjected to arbitrary arrest, detention or exile.

Article 10.

Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

Article 11.

- (1) Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.
- (2) No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

Article 12.

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

Article 13.

- (1) Everyone has the right to freedom of movement and residence within the borders of each state.

- 2) Everyone has the right to leave any country, including his own, and to return to his country.

Article 14.

- (1) Everyone has the right to seek and to enjoy in other countries asylum from persecution.
- (2) This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

Article 15.

- (1) Everyone has the right to a nationality.
- (2) No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

Article 16.

- (1) Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.
- (2) Marriage shall be entered into only with the free and full consent of the intending spouses.
- (3) The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

Article 17.

- (1) Everyone has the right to own property alone as well as in association with others.
- (2) No one shall be arbitrarily deprived of his property.

Article 18.

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Article 19.

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 20.

- (1) Everyone has the right to freedom of peaceful assembly and association.
- (2) No one may be compelled to belong to an association.

Article 21.

- (1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.
- (2) Everyone has the right of equal access to public service in his country.
- (3) The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

Article 22.

Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

Article 23.

- (1) Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.
- (2) Everyone, without any discrimination, has the right to equal pay for equal work.
- (3) Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.
- (4) Everyone has the right to form and to join trade unions for the protection of his interests.

Article 24.

Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

Article 25.

- (1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.
- (2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

Article 26.

- (1) Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.
- (2) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.
- (3) Parents have a prior right to choose the kind of education that shall be given to their children.

Article 27.

- (1) Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.
- (2) Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

Article 28.

Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

Article 29.

- (1) Everyone has duties to the community in which alone the free and full development of his personality is possible.
- (2) In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.
- (3) These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

Article 30.

Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

DO NOW ACTIVITY

Fill in the Blanks Exercise on UDHR:

Complete these sentences in your notebook using your copy of the Universal Declaration of Human Rights (UDHR). (Answers may differ).

Nearly everyone in the United States enjoys the right to _____, which is guaranteed by article _____ of the UDHR.

There are many children in the United States who do not enjoy the right to _____ because families cannot afford health insurance. However, this right is guaranteed in article _____ of the UDHR.

Not hiring a person for a job because of the color of their skin is a violation of article _____ of the UDHR, which guarantees freedom from _____.

The right to _____, article _____ of the UDHR, is commonly violated for many new immigrants to the United States.

Follow-up question:

Which articles of the UDHR do not apply to immigrants to the United States?

Extension Activity - Class copy of Human Rights vs. Civil Rights

What are civil rights?

Civil rights are the personal liberties provided by a government to each citizen, regardless of race, religion, gender, other differences, or individual worth or merit. In democracies, civil rights ensure legal, social, and economic equality by guaranteeing citizens freedom of speech, the press, and religion; the right to assemble, petition and vote; and the rights to due process and equal protection of the law.

What are the underlying principles of civil rights?

Equality without discrimination is provided to all citizens. Simply being a citizen of a democratic nation entitles a person to equal treatment without regard to race, gender, religion, age, ethnicity, faith, sexual orientation, disability, social class, or any other difference.

Indivisibility and Interdependency. All civil rights are equally important elements of an interconnected web. The loss of one detracts from the others, and the promotion of one strengthens the others.

Responsibility. All citizens must take responsibility for the active promotion and protection of civil rights. Individuals, corporations, schools, organizations, as well as governments, have a responsibility to uphold civil rights.

How are civil rights enforced?

Governments outline citizens' rights and procedures for enforcement and redress of violations in their constitutions and laws. In the United States, our Constitution and its amendments, including the Bill of Rights, guarantee many civil rights, and you can file claims and sue if your civil rights have been violated. In addition, congressional acts like the Fair Labor Standards Act of 1938, the 1964 Civil Rights Act, the Voting Rights Act of 1965, as well as Supreme Court decisions protect and extend United States citizens' political, social, and economic rights.

Are civil rights and human rights the same?

No. Many, but not all human rights are also civil rights and are protected by the governments and laws of various nations. For instance, human rights are more explicit about rights to health, the rights of children, and equal economic opportunity than civil rights.

Remember, too, that human rights are a birthright, while governments grant civil rights to their citizens.

What are human rights?

The United Nations Universal Declaration of Human Rights, adopted by the United Nations in 1948, identifies the rights that belong to all people.

Human rights are inalienable. They are the rights and responsibilities all people have just because we are human. They protect the minimum standards all people need, not merely to survive, but to live a life of basic dignity. Your human rights may be violated, but that does not change the fact that they are your birthright.

What are the underlying principles of human rights?

Universal Dignity. Respect for the basic dignity of all of us is the birthright of every person and must be promoted and protected by all persons, organizations, communities, and governments—locally, nationally, and internationally.

Indivisibility and Interdependency. All human rights are equally important elements of an interconnected web. The loss of one right detracts from the others, and the promotion of one strengthens others.

Equality without discrimination. The world over, each person, simply by being human, is entitled to respect, regardless of race, gender, ethnicity, age, culture, faith, language, sexual orientation, disability, social class, or any other difference.

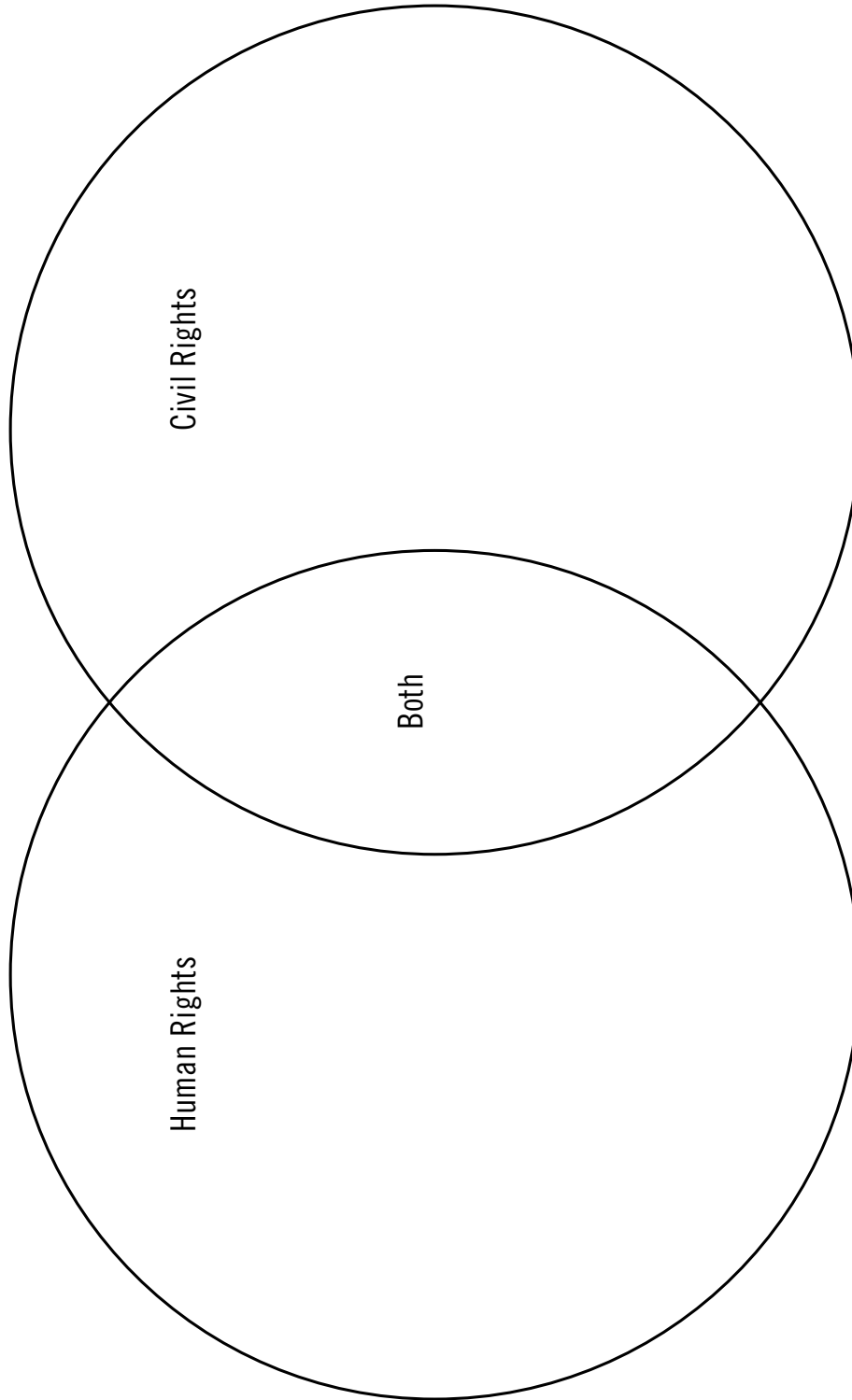
Responsibility. Human rights require all of us to take responsibility for their active promotion and protection. Individuals, corporations, schools, organizations, and governments have a responsibility to uphold human rights for all people.

How are human rights enforced?

International treaties are adopted and organizations are set up to monitor compliance with human rights standards established in them and to educate the public about strategies for advocacy and activism.

However, nations that do not sign rights treaties or participate in rights conferences do not uphold these rights internationally or in their own countries. The United States, for example, has not ratified the Convention on the Rights of the Child, or the Convention on the Elimination of All Forms of Discrimination Against Women.

Venn Diagram: Human Rights and Civil Rights: What Is Similar and What Is Different?



Suggested Answers for the Venn Diagram

These sentences are to be filled into the appropriate circles on the Venn diagram.

Human Rights

- Rights placed upon people when they are born.
- No person, group or governmental body can deprive one of these rights.
- Include political, social, cultural, age-related, and economic rights.

Both

- Individuals and governments responsible for promotion and protection.
- Rights are indivisible and interdependent.
- Enforceable by law.
- Right to vote, assemble, petition, free press, due process, freedom from discrimination.
- Equality and nondiscrimination are fundamental.

Civil Rights

- Rights afforded to those who share a civil (public) connection.
- Built on the agreement between the person and their government.
- Hold little precedent in a place where your government is not the ruling body.

NEW YORK STATE REGENTS EXAM PREPARATION: ESSAY QUESTION

Directions:

Write a well-organized essay that includes an introduction, several paragraphs addressing the task below, and a conclusion.

Task:

- Define the term “human rights.”
- Identify two examples of human rights violations that have occurred in a specific time and place.
- Describe the causes of these human rights violations.

ICED CURRICULUM

LESSON TWO

HUMAN RIGHTS AND IMMIGRATION LAWS

Essential Question

How are immigrants vulnerable to human rights violations?

Time

Two 45-minute periods. Additional time needed for assessment and homework.

Objectives

Students will be able to:

- Describe what the Migrant Workers' Convention is and why it is important.
- Evaluate if the human rights of immigrants are being upheld in the United States.
- Argue for stronger laws to protect the human rights of immigrants.
- Respond to questions on the New York State United States History and Government Regents Exam about immigration.

Corresponding Handouts

At the end of this section find:

- "What Is the Migrant Workers' Convention?" (Handout 5).
- Write a letter (Handout 6).
- Signatory countries to the Migrant Workers' Convention (Handout 7).
- Multiple choice questions from the New York State Regents Exam (Handout 8).

Do Now Activity

Using a search engine (you may use a dictionary if computers are not available), write a definition in your notebook for the following terms as they relate to immigration. You have five minutes.

Detention
Deportation
Citizen
Green Card
Asylum
Nativism
Pluralism

Activity 1- Lecture and Discussion: Migrant Workers' Convention

1. On a large piece of paper, elicit student responses and create a list of 20 reasons why people migrate from their birth country. Examples: to make more money, to marry, to go to school.
2. Explain that people migrate for a variety of reasons, but all are vulnerable to human rights violations. What are some of the reasons that people are vulnerable to human rights violations? Elicit students' responses.
3. Distribute "What Is the Migrant Workers' Convention?" (see Handout 5) and give students five minutes to read it.
4. Have a student summarize the reading for the class. Ask students what they notice about the countries that have signed the convention (see Handout 7). Which countries are included? Which countries have not signed the convention? What do the signatories have in common?

(Students will most likely notice that most of the signatories are countries whose people often migrate to other countries. You may want to add that very few developed nations have signed the treaty. In December 2003, the treaty "entered into force," which means it became part of international law, but the tenets of the treaty have not been widely accepted. Discuss with students why many ideas of the convention have not been accepted.)

Activity 2- Building Awareness of the Migrant Workers' Convention

1. Since the United States has yet to sign the Migrant Workers' Convention, students will build awareness about this international treaty and its importance to their community.
2. Give students 10 minutes to draft a letter to their city council member about the Migrant Workers' Convention, requesting that their city council members pass a proclamation about the importance of this treaty to city residents. This action in a large city could send a powerful message about immigrant rights and the importance of the treaty.

Provide students with Handout 6 containing tips on writing such letters. Have students revise and polish letters as homework. Send the letter to city officials.

Activity 3- Human Rights and Immigrants

1. Show students the Breakthrough vlog cast with Sebastian Cordoba and the trailer for "Through Thick and Thin" http://www.breakthrough.tv/product_detail.asp?prod=65&id=7

"Through Thick and Thin" is a documentary about the immigration struggles for binational lesbian and gay couples in America. Same-sex couples face unique hurdles in the United States immigration system as there is currently no legal way to sponsor a foreign-born partner.

2. Post the following two articles on a large sheet of paper for students to read:

UDHR: Article 16. (1) Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage . . . (3) The family is the natural and fundamental group unit of society and is entitled to protection by society and the state.

International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Migrant Workers' Convention): Article 44. States that parties shall take measures that they deem appropriate and that fall within their competence to facilitate the reunification of migrant workers with their spouses or persons who have with the migrant worker a relationship that, according to applicable law, produces effects equivalent to marriage, as well as with their minor dependent unmarried children.

3. Elicit student responses: Does the “Through Thick and Thin” trailer show any human rights violations? If your answer is yes, how?

Explanation of Article 16 of the UDHR: In routinely deporting gay and lesbian spouses, the United States is denying the fundamental protections that are offered to families. Thus, immigration enforcement violates the rights of individuals in same-sex marriages and their children.

Explanation of Article 44 of Migrants Workers' Convention: The Migrant Workers' Convention states that nations have a responsibility to take measures to protect marriages and partnerships that are equivalent to marriage, which includes protecting same-sex partners. While this new human rights treaty has not been signed by the United States, the articles are part of international human rights law and should be considered by the United States when making immigration policy. The United States has not taken any steps to make provisions to protect same-sex relationships.

Alternative: You may also choose to discuss the video story with “Tearing a Family Apart.”
http://breakthrough.tv/product_detail.asp?proid=87&id=7

This is a powerful story of a father and husband who faced double jeopardy and was punished twice for the same crime: he served his time in prison for a crime and then was deported to Italy for the same crime, where he hasn't lived since he was a child.

Homework Question 1

Write a one-page response to the following question:

Article 9 of the Convention on the Rights of the Child (CRC), the most widely adopted human rights convention, states that parties shall ensure that a child shall not be separated from his or her parents against their will, except when (it is) . . . for the best interests of the child.

In the trailer to “Through Thick and Thin,” Fred is facing deportation from the United States, which would forcibly separate father and child. The United States has not signed the CRC. If our country was to sign it, how might Fred's immigration status change?

Homework Question 2, Using ICED

Play Levels One and Two of ICED as the character Ayesha. What is the final outcome if Ayesha is deported? Using the UDHR, describe the ways in which Ayesha's rights were violated.

Homework Question 3, New York State Regents Exam Preparation: **Multiple Choice**

Adapted from the 2000 New York State United States History and Government Regents Examination (see Handout 8).

1. "There are too many foreigners and undesirables coming into the United States. Let's pull up the ladder."

This statement best illustrates the concept of

1. populism
2. social mobility
3. nativism
4. reverse discrimination

2. "America's strength lies in its diversity. Many immigrant groups have joined the mainstream of American life, while maintaining their languages, religions, and traditions. This has made the United States a strong nation."

The author of this statement could best be described as a supporter of

1. nativism
2. ethnocentrism
3. cultural pluralism
4. limited social mobility

3. Which problem did immigrants to the United States face in both the 19th, 20th and now 21st centuries?

1. few jobs were available for them
2. they had difficulty investing wealth brought from their homeland
3. they were frequently discriminated against
4. their arrival led to a shortage of consumer products

4. Over the past 20 years, an objective of United States immigration policy has been to

1. reduce the number of illegal immigrants
2. keep out immigrants from former communist nations
3. return to an open immigration policy
4. encourage emigration from Western Europe

5. One way in which the Chinese Exclusion Act, the Gentlemen's Agreement, and the National Origins Act were similar is that all were expressions of

1. imperialism
2. nativism
3. militarism
4. Manifest Destiny

6. What was the experience of most of the "new immigrants" who arrived in the United States from Southern and Eastern Europe in the late 1800s and early 1900s?

1. they lived in urban areas and most held low-paying jobs
2. they obtained free land in the West and became farmers
3. they became discouraged with America and returned to their homelands
4. they were easily assimilated into mainstream American culture

7. What was the main reason the United States did not limit immigration during most of the 19th century?
1. political parties wanted to gain new voters
 2. most immigrants arrived with large amounts of capital to invest in American industries
 3. the expanding economy needed a supply of cheap labor
 4. immigrants were more willing to serve in the military than native-born Americans

Answers

1. 3
2. 3
3. 3
4. 1
5. 2
6. 1
7. 3

What Is the Migrant Workers' Convention?⁸

The International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families—the Migrant Workers' Convention—is one of the seven core international human rights treaties. It came into force on July 1, 2003. It explicitly recognizes the human rights of all migrant workers and their families, drawing together fundamental human rights standards that are also reflected in the other six core treaties.

One of the most important principles set out in the Migrant Workers' Convention is that all migrant workers and members of their families are entitled to respect for their fundamental human rights, regardless of their legal status in the host country. It sets out the rights to which all migrant workers and their families are entitled, including the rights to life (Article 9), to liberty (Article 16), to protection from collective expulsion (Article 22), and to adequate conditions of work (Article 25).

In addition, the Migrant Workers' Convention provides for certain rights for migrant workers and their families who are lawfully present in a host country. These include the right to freedom of movement and residence within the territory of the host country (Article 39), and the right to equal treatment with nationals in respect of protection against dismissal from employment (Article 54).

By September 2006, the Migrant Workers' Convention had been ratified by 34 states. Around the world, nonprofit organizations are campaigning for increased ratification and implementation of this important international human rights treaty.

⁸Excerpted from “Living in the Shadows: A Primer on the Human Rights of Migrants,” *Amnesty International*, September 2006; <http://www.amnesty.org/en/library/info/POL33/006/2006>

Migrant Workers' Convention - Write a Letter

The United States has not ratified the Migrant Workers' Rights Convention. As you have discussed in class, this key convention could protect the rights of this vulnerable group, and send a strong message to the rest of the world. However, sometimes it makes good political sense to start small. If you could get a member of your city council to sponsor a local hearing or a resolution on the working conditions for migrants, the findings could be used to support a campaign with higher-level government. Write a letter to your city council person asking them to consider endorsing the Migrant Workers' Convention.

Write a letter that tells your city council person:

- What you believe immigrants contribute to your community.
- Why their human rights are at risk.
- How the Migrant Workers' Convention could help them.

Make sure you find the name and address of the correct person. Include your address, age, and school affiliation.

Countries that have signed the Migrant Workers' Convention as of 2007⁹

(Also known as the UN Migration Convention)

Albania	Kyrgyzstan
Algeria	Lesotho
Argentina	Liberia
Azerbaijan	Libyan Arab Jamahiriya
Bangladesh	Mali
Belize	Mauritania
Benin	Mexico
Bolivia	Montenegro
Bosnia and Herzegovina	Morocco
Burkina Faso	Nicaragua
Cambodia	Paraguay
Cape Verde	Peru
Chile	Philippines
Colombia	Sao Tome and Principe
Comoros	Senegal
Ecuador	Serbia and Montenegro
Egypt	Seychelles
El Salvador	Sierra Leone
Gabon	Sri Lanka
Ghana	Syria
Guatemala	Tajikistan
Guinea	Timor Leste
Guinea-Bissau	Togo
Guyana	Turkey
Honduras	Uganda
Indonesia	Uruguay

⁹ More information can be found at http://portal.unesco.org/shs/en/ev.php-URL_ID=3693&URL_DO=DO_TOPIC&URL_SECTION=201.html

New York State Regents Exam Preparation: Multiple Choice

1. "There are too many foreigners and undesirables coming into the United States. Let's pull up the ladder."

This statement best illustrates the concept of

1. populism
2. social mobility
3. nativism
4. reverse discrimination

2. "America's strength lies in its diversity. Many immigrant groups have joined the mainstream of American life, while maintaining their languages, religions, and traditions. This has made the United States a strong nation."

The author of this statement could best be described as a supporter of

1. nativism
2. ethnocentrism
3. cultural pluralism
4. limited social mobility

3. Which problem did immigrants to the United States face in both the 19th, 20th and now 21st centuries?

1. few jobs were available for them
2. they had difficulty investing wealth brought from their homeland
3. they were frequently discriminated against
4. their arrival led to a shortage of consumer products

4. Over the past 20 years, an objective of United States immigration policy has been to

1. reduce the number of illegal immigrants
2. keep out immigrants from former communist nations
3. return to an open immigration policy
4. encourage emigration from Western Europe

5. One way in which the Chinese Exclusion Act, the Gentlemen's Agreement, and the National Origins Act were similar is that all were expressions of

1. imperialism
2. nativism
3. militarism
4. Manifest Destiny

6. What was the experience of most of the "new immigrants" who arrived in the United States from Southern and Eastern Europe in the late 1800s and early 1900s?

1. they lived in urban areas and most held low-paying jobs
2. they obtained free land in the West and became farmers
3. they became discouraged with America and returned to their homelands
4. they were easily assimilated into mainstream American culture

7. What was the main reason the United States did not limit immigration during most of the 19th century?
1. political parties wanted to gain new voters
 2. most immigrants arrived with large amounts of capital to invest in American industries
 3. the expanding economy needed a supply of cheap labor
 4. immigrants were more willing to serve in the military than native-born Americans

ICED CURRICULUM

LESSON THREE

IMMIGRATION LAW IN THE UNITED STATES

Essential Question

If an immigrant's crime (even a minor crime that requires no jail time) is considered a deportable offense, judges have no choice but to deport them according to strict immigration law. How do these immigration laws make immigrants vulnerable to human rights violations?

Time

Two 45-minute periods. Additional time needed for assessment and homework.

Objectives

Students will be able to:

- Describe the changes in immigration policy that put immigrants at risk of being subjected to human rights violations.
- Evaluate whether immigrants have access to due process.
- Understand how widespread detention and deportation of immigrants are violating the rights of immigrants.
- Respond to questions on the New York State United States History and Government Regents Exam about equal rights.

Corresponding Handouts

At the end of this section find:

- "Man Faces Deportation Under 1996 Immigration Law" (Handout 9).
- "What Is Wrong with Current Immigration Laws?" (Handout 10).
- Video stories (Handout 11).
- Essay question from New York State Regents Exam (Handout 12).

Do Now Activity

Read/ Pair/ Share:

1. Students individually read Handout 9. Note what you learned about the immigration laws.
2. Students share findings on the law with a partner.
3. Teacher leads a group share-out.

Activity 1- Discussion and Video Stories

Divide the class into three groups. Each group will watch a different video story and answer questions. Groups then share a SHORT synopsis of their video story.

1. Present the following idea:

“All people are guaranteed the same human rights under international law. However, immigrants in this country do not benefit from equal enjoyment of those rights. It has become easy to violate basic human rights of immigrants, by detaining immigrants indefinitely while they are in deportation proceedings, and subsequently deporting immigrants without hearings or judicial review.”

2. Read Handout 10 “What Is Wrong with Current Immigration Laws?” aloud, as a group. Groups should discuss salient points.

3. Distribute Handout 11 and one laptop for each group.

4. Give groups 45 minutes to watch their video story and complete their questions.

Homework Question 1

This is a comment on the state of justice in the United States:

“When our country denies due process to some people, it puts all of our freedoms at risk.”

In a three-paragraph essay, agree or disagree with this statement. In your answer, define due process.

Homework Question 2, Using ICED

Play Levels One and Two of ICED with the character Anna. What is her story? Is she a citizen of the United States? What crime did she commit in high school that gets her into trouble at the end of the game? What is the outcome of the game if Anna gets deported? What are the human rights implications of this outcome?

Homework Question 3, New York State Regents Exam Preparation: Essay

Adapted from the June 2001 New York State United States History and Government Regents Examination (see Handout 12).

Directions:

Write a well-organized essay that includes an introduction, several paragraphs addressing the task below, and a conclusion.

Theme:

Equality.

Task:

The rights of “life, liberty, and the pursuit of happiness” as stated in the Declaration of Independence, have often been denied to certain groups in the United States.

Identify one group from your study of United States history.

Use two examples to show how the group has been denied the rights of “life, liberty, and the pursuit of happiness.”

Identify and discuss two efforts that have been made to help the group attain “life, liberty, and the pursuit of happiness.”

Evaluate the extent to which the group has achieved equality today.

Man Faces Deportation Under 1996 Immigration Law¹⁰

The Associated Press

KANSAS CITY, Mo.- Pablo Ureta hasn't known freedom since the day he walked into Kansas City's District Immigration and Naturalization Office in May to renew his green card.

Now he faces deportation to Uruguay, a country where he hasn't set foot since he was 8, where he has no family and where he no longer speaks the language.

Ureta was jailed in May under a 1996 immigration law that cracked down on foreigners who commit crimes. As a teenager, Ureta was a mule, carrying marijuana for others to sell.

After he served 14 months in prison for his crime two years ago, the 26-year-old resident of Columbia, Mo., thought he had paid his debt to society.

"I made a mistake," said Ureta, who is in the Shawnee County Jail at Topeka. "I was a dumb kid when I was 18, 19. I didn't even make any money doing it."

In 1996, Congress strengthened existing immigration laws, expanding which crimes would be considered aggravated felonies. In some cases, it could include shoplifting.

The law made deportation mandatory for any immigrant receiving more than 364 days in a sentence, whether it was served or suspended.

Ureta, who emigrated with his mother from Uruguay when he was 8 years old, kept his Uruguayan citizenship. For several years, legislation has been introduced that would further soften the law, but nothing has passed through Congress.

A Supreme Court case is challenging the fact that immigrants are being jailed without bond, despite being legal permanent residents in the United States.

The case will not be heard until later this month. By that time, it is likely Ureta will have been deported. His appeals have ended.

Criminal lawyers often are unaware of immigration law, and do not realize a plea could get their clients deported years later, said Tim Wichmer, a St. Louis attorney who is chairman of the Missouri/Kansas chapter of the American Immigration Lawyers Association.

"Immigration law is a hyper-specialty area that gets a complete overhaul about every seven years," Wichmer said. "It is an area where you can make people or break people."

Ureta is learning that all too well. Before his incarceration, he was studying to become an electrician. His boss is holding his job open, hoping for his return.

"I understand that Pablo made a mistake, but he turned around completely," his mother said. "He is a very responsible father and worker."

¹⁰ "Man Faces Deportation Under 1996 Immigration Law," *The Associated Press*, January 6, 2003;
http://www.cjonline.com/stories/010703/kan_deportation.shtml

What Is Wrong with Current Immigration Laws?

Current immigration laws deny due process and violate the human rights of immigrants.

The Laws

The Antiterrorism and Effective Death Penalty Act (AEDPA) and the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA).

Enforced By

United States Bureau of Immigration and Customs Enforcement (ICE).

The Issue

Immigrants are being detained and deported without access to due process.

- Current immigration laws have greatly expanded the types of crimes for which legal and undocumented immigrants are being detained and deported, with judges not able to consider the circumstances of each case. The laws now include hundreds of new offenses, including minor crimes that do not generally carry jail time.
- The laws for detention and deportation are mandatory. This means judges' hands are tied by the laws, which do not allow them to consider the circumstances of each case. The power of judges to consider granting a "pardon" or a "waiver" of deportation has been drastically reduced, regardless of how long the person has been in the United States, how minor their criminal offense is, how long ago it was committed, what their family ties are, or any good things they have done since their conviction. In many cases, the judge is simply forced to order them deported.
- Many people who face deportation are also mandated to be detained. This means that the government has a blanket policy of automatically imprisoning thousands of immigrants while they await deportation hearings. This detention process shows that a disregard for human rights is not only occurring in Guantanamo, but often right here in our own backyard. Many individuals languish in detention facilities where they lack access to legal resources and little or no access to courts. In some cases, they face inhumane conditions while being held indefinitely.
- These laws affect all immigrants: legal permanent residents, those fleeing persecution, students, and undocumented people.

The Impact

Large numbers of immigrants have been deported for minor crimes, with no access to due process.

- Since 1996, nearly 2 million legal and undocumented immigrants have been automatically deported for a variety of reasons, including undocumented status or minor criminal offenses.
- The Department of Homeland Security claims it is removing violent criminals but will not release complete numbers. Human Rights Watch estimates that from 1996 more than 500,000 people have been deported for nonviolent minor offenses as compared to 140,000 for violent offenses.
- Approximately 1.6 million spouses and children living in the United States have been separated from their parent, husband or wife because of these deportations.

Large numbers of immigrants have been detained.

- Between 1994 and 2007, the average daily detention population has increased five times over, from 5,532 to 28,000. On any given day, about 28,000 people are in detention, reaching its highest point of 261,000 in 2007.
- 63 percent of detainees, forming the vast majority, are held at hundreds of city and county jails around the nation alongside people with criminal convictions.
- Recent data show 65 percent of immigrants had no lawyer in immigration court.
- Since 2004, 66 people have died in detention—including legal permanent residents—with numerous allegations of medical negligence.

There is a huge cost to taxpayers.

- ICE pays in the range of \$50–95 per day for each detainee in these facilities—more than it costs to educate a child. That's 1.2 billion dollars of taxpayer's money every year.

Breakthrough Fair Immigration Policy Recommendations

- America should be a place that upholds our ideals of due process and human rights for all people within our borders. *Stop forcing judges to deport United States residents without considering the circumstances.*
- America should be a place that respects basic human rights such as the right to be free from imprisonment without just cause and due process. *Stop automatic imprisonment without cause and deportation without due process.*
- We have a process in America. If someone commits a crime, you charge him and try him in front of a jury. Holding people indefinitely and deporting people without hearings are not how we do things in this country. *End extreme punishment for minor offenses.*

When we let the government deny due process and human rights for some people, we put all of our freedoms at risk.

Endnotes/Sources

- "Enforcement: Aliens Formally Removed by Administrative Reason for Removal: Fiscal Years 1996 to 2005," Yearbook of Immigration Statistics: 2005, *Department of Homeland Security, 2005*; <http://www.dhs.gov/ximgtn/statistics/publications/YrBk05En.shtm>
- "Detention and Removal of Illegal Aliens," *Office of Inspector General, Department of Homeland Security*, April 2006.
- "Forced Apart: Families Separated and Immigrants Harmed by United States Deportation Policy," *Human Rights Watch*, July 2007; <http://www.hrw.org/reports/2007/us0707/>
- "New Scrutiny as Immigrants Die in Custody," *The New York Times*, June 26, 2007.
- "Illegal Immigrants Received Poor Care in Jail, Lawyers Say," *The Washington Post*, June 12, 2007.

VIDEO STORIES

Group 1: Agatha Joseph “A Mother’s Battle”

http://www.breakthrough.tv/product_detail.asp?prod=67&id=7

Agatha Joseph is the mother of a young woman who faced deportation for a misdemeanor crime she committed as a minor. In 1997, Agatha’s 16-year-old daughter committed a misdemeanor crime. Several years later her daughter, a green card holder, went on vacation, and upon her return was detained by immigration. She was detained for three years and subject to unsafe conditions while awaiting deportation proceedings. As an active member of Families for Freedom¹¹, a New York-based multiethnic network by and for immigrants facing deportation, Joseph spent years fighting for her daughter’s release and eventually won her case.

Human Rights in this video story:

UDHR: Article 7. All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Explanation of Article 7 of the UDHR: For people born in the United States, the punishment for first-time possession of marijuana would be a fine or a slap on the wrist. Agatha’s daughter, because of her status as a legal resident (not yet a United States citizen), was punished twice for the crime of possession of marijuana: a \$50 fine and community service, and deportation. This is not equality before the law and is a violation of her basic human rights.

UDHR: Article 9. No one shall be subjected to arbitrary arrest, detention or exile.

Explanation of Article 9 of UDHR: For Agatha’s daughter, detention was cruel and unnecessary for a misdemeanor offense. Detention, when necessary, needs to happen as a result of a fair trial and conviction. When an immigrant is detained, the arrest and holding must happen in a humane and respectful way. Immigration detention should not be punitive.

Discussion questions:

- Agatha’s daughter would have been deported to a country she hadn’t lived in for almost two decades for possession of a small quantity of marijuana. Consider the following questions:
- Was Agatha’s daughter going to receive the same treatment that a United States citizen would have received for committing this crime? Why or why not?
 - Would the punishment, permanent exile from the United States, fit the crime of possession of marijuana?

Read article 14 of the International Covenant on Civil and Political Rights (ICCPR)
http://www.unhchr.ch/html/menu3/b/a_ccpr.htm

- What does this article say about legal proceedings? Using the words of the covenant as your source, what treatment should immigrants receive before the law?
- As a states party to the ICCPR, is the United States upholding its human rights commitments? Why or why not?

¹¹ <http://www.familiesforfreedom.org>

VIDEO STORIES

Group 2: Anslem Ifill “Army Man Ordered Deported”

http://www.breakthrough.tv/product_detail.asp?proid=93&id=7

Anslem Ifill has lived in the United States for 25 years as a legal permanent resident. He felt so American that he put his life at risk to serve the country for eight years with the United States Army, including in the first Gulf War. Upon returning he committed a crime and served out his sentence. Instead of being released, he was detained for several years and now faces deportation. After 9/11, the law changed and those in the military can apply for citizenship, however, this is not the case for military men and women such as Anslem, who served before the law was enacted.

Anslem now asks, “How can you deport individuals who risk their lives for the very beliefs and freedoms of this country?”

Human Rights in this video story:

UDHR: Article 7. All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Explanation of Article 7 of UDHR: Anslem Ifill feels victim to double jeopardy because he was punished twice for the same crime: first by the American justice system, and second by the immigration system. This goes against a basic human right that requires equal treatment before the law.

Discussion questions:

After his release from prison, Anslem faces deportation to Trinidad and Tobago, a country where he was born, but never really lived. This legal situation termed double jeopardy, meaning being punished twice for the same crime, results in numerous human rights violations. Consider the following questions:

- What are some of the challenges that people face when they are released from prison?
- What are some of the challenges that people face when they are deported after having lived in the United States for many years?
- What challenges are shared by a person who is recently released from jail with a person who is deported?
- Referring to the UDHR (<http://www.udhr.org>), which human rights would be most vulnerable to violation for a person deported after serving time in a United States jail?

VIDEO STORIES

Group 3: Susan Davies and Ansar Mahmood “Fighting for a Friend”

http://www.breakthrough.tv/product_detail.asp?proid=60&id=7

Susan Davies of the Chatham Peace Initiative is a friend of Ansar Mahmood, a Pakistani green card holder, who was arrested by ICE for “suspicious activity” after taking a photo in front of a water treatment facility shortly after 9/11. Mahmood won a green card in the lottery and had made his life in the United States. After 32 months in detention, he was deported because he signed a lease for friends who had overstayed a visa, despite the effort of high-ranking elected officials advocating on his behalf.

Human Rights in this video story:

UDHR: Article 2. Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs.

Explanation of Article 2 of UDHR: Ansar Mahmood faced persecution and discrimination based on his ethnicity and country of origin. Because he is a Pakistani male, the local police and the agents at ICE presumed he was involved in criminal activities. This goes against basic human rights principle of nondiscrimination.

UDHR: Article 7. All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Explanation of Article 7 of UDHR: Mahmood, a legal green card holder, was suspected of criminal activity, investigated, found to have signed a lease for a friend. While this is a crime, the penalty for this should be minor—there was no criminal intent in his actions. But instead, Mahmood paid for his transgressions with 32 months in detention and deportation to Pakistan, despite the help he received from Susan Davies and the Chatham Peace Initiative, who organized allies and powerful politicians to advocate on Mahmood’s behalf.

Discussion questions:

- How have post-9/11 policies on homeland security, such as torture and arbitrary detention, made immigrants vulnerable to human rights violations?
- Would a United States citizen have been served a sentence of similar severity to the one Mahmood received?
- Do you think our post-9/11 policies that racially profile people like Mahmood make us any safer? Why or why not?

NEW YORK STATE REGENTS EXAM PREPARATION: ESSAY QUESTION

Directions:

Write a well-organized essay that includes an introduction, several paragraphs addressing the task below, and a conclusion.

Theme:

Equality.

Task:

- The rights of “life, liberty, and the pursuit of happiness” as stated in the Declaration of Independence, have often been denied to certain groups in the United States.
- Identify one group from your study of United States history.
- Use two examples to show how the group has been denied the rights of “life, liberty, and the pursuit of happiness.”
- Identify and discuss two efforts that have been made to help the group attain “life, liberty, and the pursuit of happiness.”
- Evaluate the extent to which the group has achieved equality today.

ICED CURRICULUM

LESSON FOUR

AMERICAN VALUES? THE HUMAN RIGHTS OF IMMIGRANTS POST-9/11

Essential Question

How does the legal treatment of immigrants in the post-9/11 United States oppose our commitment to justice and human rights?

Time

One 45-minute period. Additional time needed for assessment, extension activity, and homework.

Objectives

Students will be able to:

- Consider the cost and human rights implications of detaining immigrants. They will also devise alternatives.
- Understand the types of offenses that can land a foreign-born person in detention.
- Discuss how racial profiling is a violation of human rights and does not make the United States any safer.
- Understand that racial profiling of immigrants and people suspected of criminal behavior is similar.
- Consider the immigrant rights movement as part of a larger United States struggle for human rights.
- Respond to a question on the New York State United States History and Government Regents Exam.

Corresponding Handouts

At the end of this section find:

- Extension: Class copy of “Race Profiling in Immigration Enforcement” (Handout 13).
- Multiple choice question from New York State Regents Exam (Handout 14).

Do Now Activity

Post the following on a large sheet of paper or on the blackboard.

According to *The Washington Post*¹²,

“United States Immigration and Customs Enforcement (ICE) holds more inmates a night than Clarion Hotels have guests, operates nearly as many vehicles as Greyhound has buses, and flies more people each day than many small U.S. airlines.”

According to *The New York Times*¹³,

“It costs the government 1.2 billion dollars of taxpayer money each year to detain immigrants.”

¹² “US: Border Policy’s Success Strains Resources: Tent City in Texas Among Immigrant Holding Sites Drawing Criticism,” *The Washington Post*, February 2, 2007; http://www.washingtonpost.com/wp-dyn/content/article/2007/02/01/AR2007020102238_pf.html

¹³ “Immigration Enforcement Benefits Prison Firms,” *The New York Times*, July 19, 2006.

If immigrants are not dangerous criminals, are there cheaper alternatives that will ensure that they present themselves at immigration hearings? Think of and write down two alternative methods of tracking people who have immigration hearings.

Activity 1- “America Rocks!”

1. As a class, watch the 30-second “America Rocks!” animation.
<http://www.breakthrough.tv/americarocks.html>
2. Explain to students that the animation begins with a South Asian boy and his parents watching television. The President announces a terrorist threat and the parents react quickly to protect their son from racial profiling. This film comments on the country’s post-9/11 climate of fear where law enforcement, immigration enforcement, and even other citizens are profiling immigrants, and communities of color.
3. Elicit student responses to the following questions, and lead a class discussion.
 - Other than immigration enforcement, where does racial profiling happen in the United States?
 - Do you know someone who has been racially profiled? What happened?
 - How have laws and policies that were made to protect us started to affect our freedom?
 - How can we respond to this type of racial profiling in our community?
4. Conclude the class by showing “Why Can’t America Have Human Rights?”
http://www.breakthrough.tv/product_detail.asp?prod=59&id=7

Instead of having a class discussion, allow students to respond to the video as homework (see Homework Question 1).

Extension Activity (modification for higher grades and students)

1. Students individually read Handout 13, “Race Profiling in Immigration Enforcement.” This is from a legal journal and will require a close reading or reading it twice.
2. Ask students to comment on the main point of this article. (The article discusses that it is a human rights violations that it is legal for immigration officers to stop people of Mexican or Latin American descent and ask for identification based on their appearance alone.)
3. Point out that this article was written before September 11, 2001. Since then, South Asians and people of Middle Eastern descent have become targets of racial profiling by immigration officers.
4. Do Kevin R. Johnson’s findings about people of Latin American descent apply to the South Asians as well? Why or why not?

Homework Question 1

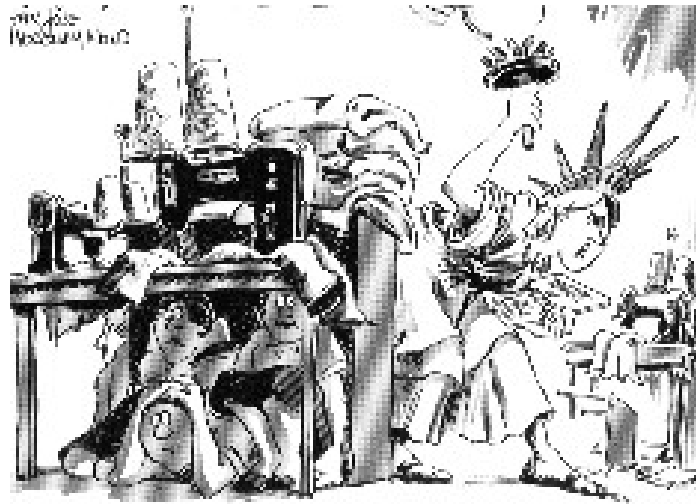
After watching “Why Can’t America Have Human Rights?” write a three-line synopsis of the film and list three ways (using media outlets if possible) in which you could use this film to get people interested in and excited about human rights.

Homework Question 2, Using ICED

Play Levels One and Two of ICED. There are several offenses which will get you apprehended by ICE officers and detained, for example, moving without notifying authorities of a change of address, not taking enough classes as a student, and tagging graffiti on a wall. Once your character is detained and taken to the detention center he/she will be subject to many human rights violations. Make a list of violations. Use the UDHR (<http://www.udhr.org>) and list the articles that are violated.

Homework Question 3, New York State Regents Exam Preparation: **Multiple Choice**

Adapted from the August 2007 New York State United States History and Government Regents Examination (see Handout 14). Source: Signe Wilkinson, San Jose Mercury News, 1984 (adapted).



“OK. You huddled masses. I know you are in here.”

Base your answer to the following multiple choice question on the cartoon below, and on your knowledge of social studies.

- The cartoonist is directing criticism at the
1. use of unskilled workers
 2. government policy toward illegal immigrants
 3. poor quality of domestic textiles
 4. use of nonunion labor in the workplace

Answer: 2

Excerpt from: Race Profiling in Immigration Enforcement¹⁴

By Kevin R. Johnson

Policymakers and the courts have finally begun a long overdue reconsideration of race profiling, the formal and informal targeting of African Americans, Latinos, and other racial minorities for police stops on account of their race. Many state and local law enforcement agencies currently are under investigation for engaging in this illegal practice. Alleged criminal propensities of African American and Latino men cannot justify a lawful police stop. Rather, the law requires individualized suspicion. Now policymakers face the daunting task of enforcing the law to eliminate the use of race in routine police stops.

In stark contrast to the prohibited use of race profiling in criminal law enforcement, the U.S. Supreme Court stated in 1975 that “Mexican appearance” constitutes a legitimate consideration under the Fourth Amendment for stopping a person to verify his or her immigration status (see *United States v. Brignoni-Ponce*, 422 U.S. 873, 886-87 (1975)). Such race profiling in immigration enforcement disproportionately burdens persons of Latin American ancestry, the vast majority of whom are U.S. citizens or lawful immigrants. The harms range from embarrassing and humiliating the persons stopped to undermining the status of all Latinos in U.S. society. Race-based immigration enforcement contributes to the fact that 90 percent of the people deported from the country are of Latin American origin (“INS Sets New Removals Record,” U.S. Department of Justice, Immigration and Naturalization Service, November 12, 1999), when only about one-half of the undocumented population is Latino. (“1998 Statistical Yearbook of the Immigration and Naturalization Service 240 (2000) (Table I),” U.S. Department of Justice). This helps reinforce and perpetuate the erroneous stereotype that all Latinos are “foreigners.”

In *United States v. Montero-Camargo* (208 F.3d 1122, 9th Cir. (2000) (en banc)), the U.S. Court of Appeals for the Ninth Circuit disregarded the contrary language in *Brignoni-Ponce* and held that the Border Patrol cannot lawfully consider “Hispanic appearance” in deciding to make an immigration stop. The court based its holding on the fact that “Hispanic appearance” is a weak proxy for immigration status. It also relied on the fact that under their current interpretation of the Equal Protection Clause of the Fourteenth Amendment, the Supreme Court has made it clear in recent years that all racial classifications are constitutionally suspect (see, e.g., *Adarand Constructors, Inc. v. Peña*, 515 U.S. 200 (1995) (invalidating a program using racial classifications in an effort to increase government contracting with minority businesses)).

Conclusion

The pattern and practice of race profiling in immigration deeply harms and marginalizes the Latino community as a whole. It singles out Latinos as a group for immigration inquiries and reinforces their perceived suspect status in the United States. This unlawful practice must end if Latin American citizens and legal immigrants are to be accorded the rights that they are entitled to under the Constitution.

Kevin R. Johnson is Associate Dean for Academic Affairs and Director of the Chicana/o studies program at the University of California, Davis. He is a member of the American Bar Association’s Coordinating Committee on Immigration.

¹⁴ Adapted from American Bar Association, Section of Individual Rights and Responsibilities, Human Rights; available at <http://www.abanet.org/irr/hr/winter01/johnson.html>

New York State Regents Exam Preparation: Multiple Choice

Source: Signe Wilkinson, San Jose Mercury News, 1984 (adapted).



“OK. You huddled masses. I know you are in here.”

Base your answer to the following multiple choice question on the cartoon below, and on your knowledge of social studies.

The cartoonist is directing criticism at the

1. use of unskilled workers
2. government policy toward illegal immigrants
3. poor quality of domestic textiles
4. use of nonunion labor in the workplace



Appendix A

Glossary of Terms

APPENDIX A

GLOSSARY OF TERMS

Definitions:

Alien - Any person who is not a citizen or national of the United States.

Asylum Seeker - A noncitizen located in the United States or at a port of entry who is unable or unwilling to return to his or her country of origin because of a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion.

CBP - United States Customs and Border Protection, a branch of the Department of Homeland Security. CBP is the agency in charge of protecting United States borders, including land borders and coastal waters.

Department of Homeland Security - A government department that is an umbrella to the vast national network of organizations and institutions involved in securing the United States. Agencies that implement and enforce immigration laws and policies such as ICE (enforcement), CBP (borders) and USCIS (services) are included within this umbrella.

Deportation - Forcing a noncitizen to leave the country in which he/she is currently residing. Persons who can be deported from the United States include noncitizens (including green card holders) with past criminal convictions, visa overstays, refugee/asylum seekers, and those who entered without inspection.

Detention - Keeping a noncitizen in custody or confinement, often while he/she is awaiting a court decision on deportation. People are detained at every step of the immigration process: (1) awaiting asylum, (2) picked up and jailed without charges, (3) awaiting a court decision on deportation, (4) after being ordered deported, while ICE is actively trying to remove them, and (5) sometimes indefinitely, where ICE knows it may not be able to deport someone with an order of deportation because their country of origin will not accept it.

Disproportionate Punishment - An inappropriate penalty for the crime committed.

Double Jeopardy - Being tried twice for the same offense.

Due Process - An established course for judicial proceedings or other governmental activities designed to safeguard the legal rights of the individual. It is a broad term that implies one's access to the courts and a chance for your case to be heard before a judge.

Human Rights - The basic rights and freedoms to which all humans are entitled, such as the right to life and liberty, freedom of thought and expression, and equality before the law.

ICE - The Bureau of Immigration and Customs Enforcement, a branch of the Department of Homeland Security. ICE makes certain, through the enforcement of United States immigration laws, that all removable aliens depart the United States. It does this by carrying out raids, running detention centers, and expediting deportations.

Immigration Judge - An official appointed and authorized to decide the outcome of immigration cases, including asylum and deportation cases.

Informal Economy - The economic activity that is neither taxed nor monitored by a government. The informal economy grows when there are not enough jobs and people resort to alternative forms of earning money, such as street vendors, and counterfeit purchases. Immigrants, more often than citizens, end up having to resort to work in the informal economy in order to support their families.

Legal Permanent Resident (also known as green card holder) - A noncitizen who has been granted the right to live and reside permanently in the United States, but can still be subject to deportation upon violation of the immigration laws. A green card holder can own property, attend public schools, colleges, and universities, join certain branches of the Armed Forces, and eventually apply to become United States citizens if they meet certain eligibility requirements.

Misdemeanor - A criminal offense defined as “less serious” than a felony.

Noncitizen - Any person who is not a citizen or national of the United States.

Nonimmigrant - Someone who is admitted into the United States for a short period of time but is not given permission to live in the United States permanently (such as students, professionals, tourists, workers, etc.).

Picked Up - Slang for when an individual is arrested by a police officer or government official and taken to a prison or government building.

Public Defender - A lawyer provided by the state to low-income individuals who could not otherwise afford to hire a private lawyer to defend them in court.

Raids - The activity by ICE—the Bureau of Immigration and Customs Enforcement—which involves invading workplaces or homes in search of undocumented immigrants, those with outstanding deportation orders, or those with criminal convictions. In 2006 and 2007, ICE escalated raids at workplaces, residences, and public areas, often in partnership with local parole, probation, and other agencies. Typically, they claim to be looking for particular people and then arrest many more that agents happen to encounter. In the last year, raids have resulted in local crises as children have been left waiting for their detained parents and families have been permanently separated.

Refugee - A noncitizen outside the United States who is unable or unwilling to return to his or her country of origin because of persecution, or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion.

Student Visa - See Nonimmigrant.

The Hole - The informal term referring to “solitary confinement,” or the place in prison or detention where someone is confined alone either as a form of severe punishment or in more rare cases, to protect them from other inmates.

Undocumented Immigrant - A person who does not have lawful immigration status in the United States (also known as illegal alien).

USCIS - United States Citizenship and Immigration Services, a branch of the Department of Homeland Security. USCIS oversees areas including: citizenship, lawful permanent residency, family and employment-related immigration, employment authorization, intercountry adoptions, asylum and refugee status, replacement immigration documents, and foreign student authorization. Formerly known as “INS.”

Visa - A document by which the United States government regulates entry into its borders for noncitizens. A visa can be granted or denied. There are two types of visas: immigrant (legal permanent residents, asylum seekers, refugees), and nonimmigrant (students, professionals, tourists).



Appendix B

General Resources

Books

- Mark Dow, "American Gulag: Inside U.S. Immigration Prisons," University of California Press, 2005.
Describes the inner workings of immigration detention.
- Bill Hing, "Defining America Through Immigration Policy," Temple University Press, 2004.
Defines the continuing debates about immigration in the context of what value Americans as a people have assigned to cultural pluralism in various eras.
- Roger Daniels, "Guarding the Golden Door: American Immigration Policy and Immigrants since 1882," Hill and Wang, 2004.
Covers immigration policy since the 1880s.
- Joy James (ed), "States of Confinement: Policing, Detention, and Prisons," Palgrave Macmillan, 2002.
Discusses the political, social, and economic biases in policing and punishment.
- Michael Welch, "Detained: Immigration Laws and the Expanding I.N.S. Jail Complex," Temple University Press, 2002.
Looks at immigration legislation and policies of the United States since 1996.

Films

- "Al Otro Lado" (To The Other Side) (Documentary, 2005)
Directed by **Gustavo Loza**
Looks at the United States/Mexico border from the perspective of those who live north and south of it.
<http://www.pbs.org/pov/pov2006/alotrolado/>
- "Lest We Forget" (Documentary, 2003)
Directed by **Jason DaSilva**
Compares Japanese internment camps to post-9/11 treatment of immigrants.
<http://www.lestweforgetmovie.com>
- "Lost Boys of Sudan" (Documentary, 2004)
Directed by **Megan Mylan** and **Jon Shenk**
Follows two Sudanese refugees on a journey from Africa to America.
<http://www.lostboysfilm.com>
- "Maria Full of Grace" (Fiction, 2004)
Directed by **Joshua Marston**
In a small village in Colombia, the pregnant 17-year-old Maria accepts the offer to work as a drug mule, flying to the United States with 62 pellets of cocaine in her stomach.
<http://www.mariafullofgrace.com>
- "The New Americans" (Documentary, 2004)
Follows four years in the lives of a diverse group of immigrants and refugees as they journey to start new lives in America.
<http://www.pbs.org/independentlens/newamericans>

- “Rights on the Line: Vigilantes at the Border” (Documentary, 2004)
Produced by **American Friends Service Committee in partnership with the American Civil Liberties Union and WITNESS**
Offers a look at the growing role of armed vigilante groups at the United States/Mexico border.
<http://www.witness.org>
<http://www.afsc.org>
<http://www.aclu.org>
- “Sentenced Home” (Documentary, 2005)
Directed by **David Grabias and Nicole Newnham**
The story of Cambodian Americans who arrived in the United States as refugees in the 1980s and are fighting an unwilling deportation back to Cambodia.
<http://www.pbs.org/independentlens/sentencedhome>
- “Uprooted: Refugees of the Global Economy” (Documentary, 2001)
Produced by **National Network for Immigrant and Refugee Rights**
How the global economy has forced people to leave their home countries.
<http://www.nnirr.org>
- “Whose Children Are These?” (Documentary, 2007)
Theresa Thanjan
Examines the experiences of three Muslim-American teenagers affected by Special Registration, a post-9/11 security measure initiated by the United States Department of Justice that required male noncitizens from 25 predominantly Muslim nations to register with the government.
<http://www.whosechildrenarethese.com>

Animations

- “SuperNews! - The Immigration Debate”
Produced by **Current TV**
The immigration debate blows up when the Pilgrims protest limitations to their rights in America.
<http://www.current.tv/pods/supernews/PD04833>
- “The New Lamp Lifters” (05/24/06)
What does the Statue of Liberty stand for, for today’s immigrants?
Produced by **Mark Flores**
http://www.markfiore.com/new_lamp_lifters_0
- “Hordes Redux” (06/06/06)
A look at America’s anti-immigrant policies through history.
Produced by **Mark Flores**
<http://www.markfiore.com/hordes>
- “America Rocks!”
When a family watches President Bush’s public address, they know that they are targets in the United States. A mom and dad protect their son the only way they know how—they hide his brown skin under the American flag.
<http://www.breakthrough.tv/americanrocks.html>

- “Family Is Family”

Two heterosexual couples are out to dinner, and they discuss the problems with gay marriage. But when they talk about a friend whose husband has been deported they are sympathetic. This poses the question—in any instance is it right to break up a family?

http://www.breakthrough.tv/product_detail.asp?proid=53&id=7

Websites

- Breakthrough

<http://www.breakthrough.tv>

Breakthrough is an international human rights organization that uses media and popular culture to talk about immigrant rights in the United States.

- Families for Freedom

<http://www.familiesforfreedom.org>

Families for Freedom is a New York-based multiethnic defense network by and for immigrants facing and fighting deportation.

- Detention Watch Network

<http://www.detentionwatchnetwork.org>

The Detention Watch Network (DWN) is a national coalition in the United States that addresses the detention crisis head-on and helps detainees make their voices heard.

- Rights Working Group

<http://www.rightsworkinggroup.org>

The Rights Working Group is a national coalition of more than 250 community-based groups and policy organizations dedicated to ensuring that American commitment to liberty and justice is fulfilled.

- American Civil Liberties Union

<http://www.aclu.org>

A national organization that advocates individual rights including the right to the First Amendment, due process and privacy.

- National Network for Immigrant and Refugee Rights

<http://www.nnirr.org>

A national organization that serves as a forum to share information, educate communities and the general public, and develop and coordinate plans of action on important immigrant and refugee issues.

- National Day Laborers and Organizing Network

<http://www.ndlon.org>

A collaborative of more than 30 community-based organizations that organize day laborers in different parts of the country.

- The National Immigration Project of the National Lawyers Guild

<http://www.nationalimmigrationproject.org>

An organization that protects the rights of noncitizens facing barriers to justice.

Reports

- “Restoring the Right to Due Process: A Toolkit for Immigrant Rights Advocates,” *Breakthrough*, April 2007.
http://www.breakthrough.tv/product_detail.asp?proid=85&id=7
- “Forced Apart: Families Separated and Immigrants Harmed by United States Deportation Policy,” *Human Rights Watch*, July 2007.
<http://hrw.org/reports/2007/us0707>
- “The REAL DEAL: Detaining America’s Immigrants: Is this the best solution?,” *Detention Watch Network, The National Immigration Project and the Rights Working Group*.
<http://65.36.162.162/files/RealDealDetention.pdf>
- “New Scrutiny as Immigrants Die in Custody,” *The New York Times*, June 26, 2007.
<http://www.nytimes.com/2007/06/26/us/26detain.html?ex=1269230400&en=9f344fad5e4fa81a&ei=5035&partner=MARKETWATCH>
- “Immigration Enforcement Actions: 2005,” *Annual Report of Department of Homeland Security*, November 2006.
<http://www.dhs.gov/ximgtn/statistics/publications/yearbook.shtm>
- “Enforcement: Aliens Formally Removed by Administrative Reason for Removal: Fiscal Years 1996 to 2005,” *Yearbook of Immigration Statistics: 2005, Department of Homeland Security*, 2005.
<http://www.dhs.gov/ximgtn/statistics/publications/YrBk05En.shtm>



Appendix C

Take Action

APPENDIX C

TAKE ACTION ON IMMIGRATION AND HUMAN RIGHTS

FOLLOW-UP ACTIVITIES FOR THE ICED VIDEO GAME

After completing lessons, teachers are encouraged to give students an opportunity to Take Action for immigrant rights. Here are some ideas for CIVIC ACTIONS.

Get Online

Use the Internet to share what you have learned about immigration from ICED with your friends.

- Tell everyone you know to play ICED.
- Become a member of iBreakthrough, a Facebook group that supports human rights.
- Write about ICED on your own blog. E-mail the writers of your favorite blog and tell them about ICED.
- Post a link to ICED on your Facebook and MySpace page and get your own ICED e-mail signature for the bottom of your e-mails.
http://www.breakthrough.tv/product_detail.asp?proid=92&id=7
- Support an initiative to get 1 billion people to add their signature to the UDHR. Please sign the Universal Declaration of Human Rights.
 Visit <http://www.everyhumanhasrights.org>
- Write about immigration and human rights on ICED's Helium page.
 Visit <http://www.helium.com/partners/iced>

Get Involved

So you cannot vote? So what! Your voice still counts. Contact your government officials (<http://www.house.gov/> and <http://www.senate.gov>) and tell them exactly what is bothering you about immigration.

Tips on writing a letter to lawmakers about immigration laws:

- Be upfront from the start: say who you are and what you want.
- Three strong points: highlight key points that will persuade lawmakers.
- Name the exact laws: the immigration laws are the AEDPA and IIRIRA.
- Make it personal: share why immigration issues are important to you.
- Keep it short: make it one page and one issue.

Sample Letter

Today's date _____

Your address

Dear _____,

America should be a place that respects basic human rights but current immigration laws are detaining and deporting people without due process and human rights. These laws affect all immigrants: legal residents, those fleeing persecution, students, and undocumented people, with more than 2 million people deported since 1996.

The immigration laws, the Antiterrorism and Effective Death Penalty Act (AEDPA) and the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA):

- Deny due process and deport people without a hearing.
- Tie judges' hands and prevent them from considering the circumstances of each individual case.
- Often impose extreme punishment for minor offenses.
- Hold immigrants in detention indefinitely.

- *PERSONAL STORY GOES HERE* -

These laws are violating the very beliefs of this country. Please restore due process and fairness to our immigration system.

Sincerely,

-Your name

Get Together

There is power in numbers! Get your friends, neighbors, school groups, and sports teams to work together on educating others on current immigration laws.

- Hold an ICED house party in your neighborhood, apartment building, community center or dorm to play the game, and talk about the issues. Make sure people write letters, sign petitions or agree to bring a friend to the next party.
- Use Breakthrough's video stories and animations on immigration on Breakthrough's website and YouTube to watch actual people affected by the immigration laws.
<http://www.breakthrough.tv>
<http://www.youtube.com/breakthroughtv>
- Hand out ICED postcards at concerts, festivals, and fairs (contact: iced@breakthrough.tv).
- Meet other people who want to reform immigration laws using <http://www.meetup.com>

Get in the Headlines

Write a letter (an opinion editorial) to your local or school newspaper.

Tips on writing a letter to the editor of a newspaper on immigration laws:

- Be honest: state your concern with the immigration laws.
- Make it brief: no more than 200 words.
- Use your personality: it's OK to be funny, sarcastic, and colorful. Editors pick letters that readers will remember.
- Get credit where credit is due: give them your contact info: name, snail-mail address, e-mail address, and phone number.
- Follow up: call the paper to see if they have received it, and re-pitch what your letter was about.
- Keep it up: send a copy of your letter to your senators and congressperson.

Get Active

Politics aren't just for your parents and teachers. Young adults have the power to make a big difference!

- If you are 18, register to vote at Rock the Vote. <https://secure5.ctsg.com/rtv/ovr/index.asp?pid=99>
- If you are a green card holder, consider becoming a citizen. <http://www.uscitizenship.info>
- Talk to other young people around the country about politics on ThinkMTV. <http://think.mtv.com>

For the Artists in the Group

Just as Breakthrough used a video game to teach about this issue, you may also want to teach in a creative way. There are many creative ways to distribute online: write a zine or blog on the topic. Alternatively, paint a canvas or design a postcard with an illustration that depicts human rights violations of immigrants. Many schools have annual art showcases. Make sure to enter your piece.

If you are a musician, why not use one of the characters from ICED as inspiration to write song lyrics? If you are into theater, why not write a short play about immigrant rights? You can do a guerilla performance in your school cafeteria and you are sure to draw a crowd! Or make a short video and upload your opinions on immigration and human rights to YouTube.

Get More Information

Check out these websites so you can learn more and continue to work towards improving the immigration laws.

<http://www.icedgame.com>
<http://www.breakthrough.tv>
<http://www.youtube.com/breakthroughtv>
<http://www.myspace.com/letsbreakthrough>
<http://www.facebook.com/profile.php?id=668664762>



Appendix D

ICED - I Can End Deportation Video Game Map

APPENDIX D

ICED - I CAN END DEPORTATION VIDEO GAME MAP

The ICED Video Game Map goes through every element of the video game:

- Rules and Mission of ICED.
- Characters of ICED.
- Level One-The City: Myth/Facts, Moral Decisions and Civic Points.
- Level Two-Detention: Myth/Facts, Moral Decisions and Facts about Detention.

About ICED

ICED is a video game that enables the player to live the day-to-day life of an immigrant youth living with the threat of being detained and deported.

The game exposes unfair immigration laws that detain and deport people without due process and respect for human rights. These laws affect all immigrants: legal residents, those fleeing persecution, students, and undocumented people.

Unfair laws:

- Deny due process and deport people without a hearing.
- Tie judges' hands and prevent them from considering the circumstances of each individual case.
- Impose extreme punishment for minor offenses.
- Hold immigrants in detention indefinitely.

When we let the government deny due process and human rights for some people, we put all of our freedoms at risk. Learn more at www.icedgame.com

ICED is a Breakthrough production. Breakthrough promotes human rights through media and popular culture. Check us out at www.breakthrough.tv

Rules of ICED

THE OBJECT OF THE GAME IS TO BECOME A CITIZEN OF THE UNITED STATES.

- Find out how much you know about immigration by answering myth/fact questions.
 - Test your character through moral decisions. Any wrong decision sets an ICE officer after the player.
 - Earn civic points for doing positive things in the community.
- Good behavior keeps you in Level 1-The City. Wrong answers to myth/fact questions or wrong moral decisions increase a player's chances of being hunted down and caught by ICE officers and sent to Level 2-Detention. Once in detention, you will be in jail for unknown amounts of time, sent to the hole (solitary confinement), and possibly deported back to a country you have never known.

Mission of ICED

The goal of ICED is to stay out of detention by making good decisions and doing positive things for your community. If you do these actions, you have the chance of becoming a citizen of the United States.

Your mission is to locate all of the quizzes and civic points indicated by these icons. At these key locations your character will be tested, which could earn or lose you points. If you lose too many points, ICE officers will catch you and send you to detention. If you're successful at answering the questions and avoiding the immigration officers, you'll have the chance to play a "minigame" to become a citizen.

Characters of ICED



AYESHA

COUNTRY OF ORIGIN: India

IMMIGRATION STATUS: Legal permanent resident (green card holder)

AGE: 16

PROFESSION: High school 10th grader, wants to be a doctor

THE STORY: Ayesha was detained by the FBI in New York City in spring 2005 and taken to an immigration detention center in Pennsylvania, hundreds of miles away from her family and friends. The FBI decided she was "an imminent threat to the security of the United States based on evidence that she was planning to be a suicide bomber."



JAVIER

COUNTRY OF ORIGIN: Mexico

IMMIGRATION STATUS: Undocumented (in the country illegally, awaiting the DREAM Act to pass)

AGE: 20

PROFESSION: Food delivery boy—wants to be a teacher

THE STORY: Javier has lived in the United States since the age of five and his English is stronger than his Spanish. Javier's parents came over with visitor visas to see relatives who lived in New York. In Mexico, they had no more family and lost their family business because of NAFTA. So they decided to stay in the United States to work and make a life. They became "undocumented" (or "illegal") when their visitor visas expired. But because there have been no options for immigrants to apply for legal residency since 1984, Javier remains undocumented.



MARC

COUNTRY OF ORIGIN: Haiti

IMMIGRATION STATUS: Asylum seeker

AGE: 22

PROFESSION: Military then unemployed

THE STORY: Marc's family left Haiti when he was a boy to escape persecution. Most of his family members had been killed by the United States-supported dictator. The family resettled in an impoverished area of New York—five of them living in a one-bedroom apartment. Eventually they were granted asylum and later Marc got a green card. But money was tight and Marc saw the Army as a good path to be able to go to school. He didn't think joining would mean he'd be sent off to the Iraq War...or that then he'd never be the same person again.

**ANNA****COUNTRY OF ORIGIN:** Poland**IMMIGRATION STATUS:** Thinks she is a citizen, but...**AGE:** 20**PROFESSION:** Aspiring actress

THE STORY: Anna came to the United States at age 13. Both of her parents died later that year in a car accident and she was left all alone. Soon after, she was busted for smoking weed. She was charged and after serving her community service sentence, she thought the past was behind her. However, at 16 on her way home from a school trip abroad, she was arrested. Anna spent three of her teenage years in a detention center (jail), waiting to hear whether or not she'd be deported to Poland, because of a crime that she had already served time for.

**SUKI****COUNTRY OF ORIGIN:** Japan**IMMIGRATION STATUS:** Visa holder (F-1 student visa)**AGE:** 23**PROFESSION:** Aspiring computer scientist

THE STORY: Suki came to the United States on a student visa to attend Cornell University. Now he is at risk of being deported. He didn't know that he needed to take a full course load as a condition of his student visa. By taking only 9 credits his first semester he unknowingly violated his visa requirements.

Level One-The City

In Level One-The City, players answer myth/fact questions, make moral decisions, and earn civic points. Any wrong decision sets an ICE officer after the player.

Introduction to Level One-The City

Since 1996, almost 2 million people have been deported from the U.S. No one is safe from deportation—the sick and elderly, pregnant women, families, green card holders, and even people escaping other countries where they might have been tortured for their beliefs. Right now, there are hundreds of thousands of immigrants being detained in horrendous conditions. They have no idea of their destiny. They do not have access to due process. They are not given the legal rights that U.S. citizens have. Are these our American values? It is a myth that detaining immigrants keeps America safe. If fact, detaining immigrants breaks up families and destroys their lives.

Myths/Facts in Level One-The City

This lists all the myths and facts in Level One-The City, along with reference sources for each.

[fact] The main reasons people are forced to leave their home country are war, human rights violations and lack of employment.

- Fact: You got it! People emigrate out of necessity. For example, 2 million people have fled Iraq since the war began in 2003.
- Myth: Oops—wrong. This is fact! People emigrate out of necessity. For example, 2 million people have fled Iraq since the war began in 2003.

“Protecting refugees and the role of UNHCR,” *The United Nations Refugee Agency*.
<http://www.unhcr.org/basics.html>

[myth] All immigrants in the United States are people of color from poor countries.

- Fact: Wrong! The first immigrants came from Northern European countries such as Britain and Sweden. The Chinese came early on, while there are Mexican Americans who have been part of the United States for centuries, because the Southwestern United States used to be a part of Mexico.
- Myth: That’s right! The first immigrants came from Northern European countries such as Britain and Sweden. The Chinese came early on, while there are Mexican Americans who have been part of the United States for centuries, because the Southwestern United States used to be a part of Mexico.

“Cycles of Nativism in U.S. History,” *National Immigration Forum and ITVS*, August 2001.
http://www.crf-usa.org/immigration/immigration_history.htm, <http://www.itvs.org/outreach/workers/workers-Cycles.pdf>

[fact] Under current United States immigration law, a 40-year-old green card holder can be deported for stealing school supplies as a teenager.

- Fact: Very unfortunate but true. Unfair immigration laws make minor offenses like not paying for a bus ticket a felony. Also, the laws apply for mistakes committed in the past. Is it fair that you pay for your crime twice?
- Myth: We wish, but this one is true! Unfair immigration laws make minor offenses like not paying for a bus ticket a felony. Also, the laws apply for mistakes committed in the past. Is it fair that you pay for your crime twice?

“The Myth of Immigrant Criminality and the Paradox of Assimilation: Incarceration Rates among Native and Foreign-Born Men,” *Ruben G. Rumbaut, Ph.D. and Walter A. Ewing, Ph.D.*, February 27, 2007.
http://www.aifl.org/ipc/special_report/sr_feb07.shtml

[fact] Nearly half (45 percent) of all undocumented immigrants now living in the United States entered the country legally.

- Fact: Correct! It is not true that all undocumented immigrants crossed the Mexican border illegally to get here.
- Myth: Nope! Actually, this is true—many immigrants originally come legally, with a visa, but end up staying.

“Modes of Entry for the Unauthorized Migrant Population,” *Pew Hispanic Center*, May 22, 2006.
<http://pewhispanic.org/factsheets/factsheet.php?FactsheetID=19>

[myth] If you work hard and do not get into any trouble, the government will not bother you.

- Fact: Nope! Immigrants who have never gotten into trouble can still be snatched up by authorities and might possibly be deported for simple, noncriminal visa violations.
- Myth: That’s right! The truth is that immigrants who have never gotten into trouble can still be snatched up by officers and deported for simple, noncriminal visa violations.

“Special Registration: Discrimination and Xenophobia as Government Policy,” *The Asian American Legal Defense and Education Fund*, January 2004.
http://www.aaldef.org/images/01-04_registration.pdf

[myth] Young people who come to the United States as children are safe from detention and deportation.

- Fact: Nope! Actually, people who have lived in the United States for most of their lives can still be sent back to the country where they were born, against their will.
- Myth: You’re right—this is a myth. People who have lived in the United States for most of their lives can still be sent back to the country where they were born, against their will.

Of approximately 2.8 million students that graduate from United States high schools every year, approximately 60,000 do not have the opportunity to move forward, not because they lack motivation, but because of the status passed on to them by their parents—they are children of undocumented parents who were brought to the United States at a young age. See how the DREAM Act can help them.
<http://www.dreamact.info>

[fact] Undocumented immigrants pay taxes, such as property and sales tax, which pay for schools and other local services.

- Fact: Yup! It's not true that immigrants take jobs and don't pay taxes, or that they take away other people's jobs and end up being a drain on the economy.
- Myth: Wrong! Immigrants don't hurt the economy—they contribute to it by filling jobs and paying taxes, which go towards schools and other local services. Immigrants also pay into Social Security without the chance to benefit from it.

“Paying Their Way and Then Some—Facts about the Contributions of Immigrants to Economic Growth and Public Investment,” *National Immigration Law Center (NILC)*, September 29, 2006.
<http://www.nilc.org/immspbs/research/research003.htm>

[myth] A poor job protecting the United States border has lead to a surge in undocumented immigrants.

- Fact: Wrong! Even though the Border Patrol's budget has increased six times over from 1986, the number of undocumented immigrants has doubled. The fact is there are very few legal paths for entry to the United States compared to the jobs that are available.
- Myth: You're right! Even though the Border Patrol's budget has increased six times over from 1986, the number of undocumented immigrants has doubled. The fact is there are very few legal paths for entry to the United States compared to the jobs that are available.

“US: Border Policy's Success Strains Resources: Tent City in Texas Among Immigrant Holding Sites Drawing Criticism,” *The Washington Post*, February 2, 2007.
http://www.washingtonpost.com/wp-dyn/content/article/2007/02/01/AR2007020102238_pf.html

Civic Points

Players earn 5 points for every civic action icon they collect.

- 5 points for planting a tree.
- 5 points for donating blood.
- 5 points for volunteering at a soup kitchen.
- 5 points for signing a petition against global warming.
- 5 points for recycling soda cans.
- 5 points for adopting a pet.
- 5 points for giving money to a homeless person.
- 5 points for raising money for a detainee's family.
- 5 points for starting a food drive.
- 5 points for becoming a Big Brother/Big Sister.
- 5 points for tutoring a child.
- 5 points for cleaning a graffiti wall.
- 5 points for encouraging people to vote.
- 5 points for writing to your Congressman.

Moral Decisions

Players encounter various moral decisions. Each wrong decision releases an ICE officer into the game to find you. If player is caught by any of the ICE officers, he/she is sent to detention.

Corner Store

You're at the corner store. You don't have enough cash to buy a loaf of bread. Do you steal it?

- Shop
- Steal

If player chooses Steal

You think this is a minor action. Even though it's just a misdemeanor, it could cause you to lose your family forever!

Restaurant

You need a job, and see a help wanted sign in the window of an Italian restaurant. Do you go in and apply?

- Don't Apply
- Apply Using False ID

If player chooses Apply Using False ID

Working "under the table," using a false ID card or a fake social security number can get you deported. Thousands of raids happen in workplaces each year, resulting in thousands of deportations. Those who work without papers have few protections in the workplace, yet their low wages keep prices down for all of us. Is this fair?

Recruitment Table

A Marine calls out to you and asks you to join the Armed Forces. He tells you the opportunities. Do you sign up?

- Walk Away
- Sign Up

If player chooses Sign Up

Military recruiters get young people to join the Army by targeting immigrant neighborhoods. They might tell you anything to get you to join, including false promises of citizenship.

Voter Registration

You're walking down the street and you encounter a table where you can register to vote in the next election. Maybe you can make a difference on future immigration policies. Do you sign up?

- Walk Past
- Sign Up to Vote

If player chooses Sign Up to Vote

Registering to vote if you're not a citizen could possibly get you deported. Millions of immigrants who live and grow up in the United States pay taxes and are not allowed to vote. Immigrants cannot vote, but they can fight in the Army. Does this make sense?

Subway Turnstile

You're at the train and you lost your subway card, but you don't want to be late for work. Do you jump?

- Buy Card
- Try to Jump

If player chooses Try to Jump

Oops, you can't do that. The Department of Homeland Security randomly targets people of color to check their immigration status in communities, on trains, and in airports. Should this be allowed in a free country?

DVD Table

You pass someone under the subway selling counterfeit DVDs. Do you buy one and run the risk of being associated with illegal activities?

- Walk Past
- Buy a DVD

If player chooses Buy a DVD

Undocumented immigrants have fewer job choices available to them, so they are often forced to work selling bootleg products on the street to support their family.

Graffiti

You see a can of spray paint and a blank wall. Do you tag it?

- Walk Away
- Tag Wall

If player chooses Tag Wall

Vandalism and many other petty crimes result in fines or community service for citizens. But for immigrants, this can mean being detained and separated from family for unknown amounts of time.

Ditched Car

There's an unlocked car here and you can see the keys in the ignition! Do you steal it?

- Leave It
- Take the Car

If player chooses Take the Car

You might think it would be fun to take your friends for a joyride. But stealing a car for 15 minutes could get you 5 years.

Discarded Gun

You've found a handgun in the trash! Do you pick it up?

- Leave It
- Take the Gun

If player chooses Take the Gun

Wait a minute. If you're thinking of bringing this gun to the police, you should realize that the act of picking up a gun—even if you don't use it—constitutes a crime and could get you locked up!

House

You look up at the window and see a husband beating his wife. Do you report it?

- Walk Away
- Call the Police

If player chooses Call the Police

Undocumented immigrants have to keep on the “down-low” and not call attention to themselves. They only end up calling the police 1 out of 7 times when they are in trouble. What would you do if your safety was in danger, and you needed to call the police?

Between Level One-The City and Level Two-Detention

If player answers myth/fact questions correctly, makes the correct moral decisions and collects all civic points, he/she enters the minigame.

So far, so good

I bet you think you are pretty smart, and that this game is easy to beat. Let's see if you can outsmart the Immigration officers in a high-speed game of hide and seek!
Start the immigration sweep.

If player wins immigration sweep

You made it!

Congratulations! By working hard to stay out of trouble, you have won naturalization papers! Of course, in the real world, immigrants aren't rewarded this way. Many end up in immigration detention centers like the one you will see next. See what life is like in an immigration detention center.

OR

If player answers myth/fact questions wrongly or makes the wrong moral decisions, he/she is chased by ICE officers, and if caught, player is sent to detention.

You Were Caught!

Too bad you took less than 12 credits, three semesters ago! Didn't you know that was a violation of your student visa? Now you're going to jail.

You Were Caught!

Even though you and your 16-year-old boyfriend/girlfriend are very in love, you were under 18 when you guys had your baby. Technically, you were breaking the law, now your family will be permanently split up.

You Were Caught!

Wait, remember when you were caught and fined for tagging on your 18th birthday? Even if a person has already served time in jail for a crime they committed years ago, under the new laws, they can be given a deportation order.

You Were Caught!

Remember when you moved six months ago? Dude, you never notified the immigration authorities. This is a violation of immigration law and can get you picked up and detained.

Level Two-Detention

In Level Two-Detention, player awaits the outcome of his/her deportation case. The player answers myth/fact questions, faces moral decisions which may send him/her to the hole (solitary confinement), learns facts about detention, and is finally deported or let free. The level is basically a simulation of what it is like to be in detention in real life.

Introduction to Level Two-Detention

Welcome to detention.

- You have just joined tens of thousands of immigrants who are locked up and fighting their deportation order.
- Even though you're from New York, the Department of Homeland Security can send you anywhere. Right now, you're in Louisiana, hundreds of miles away from your friends and family.
- You may be here five months, or it could be five years. There might be free lawyers in criminal court but you don't get any here.
- You can give up your fight and agree to voluntary deportation, but then you'd never see your friends and family again. Only you can decide if it's worth it.
- If you decide to stay, you must avoid getting into further trouble and keep your morale high!

Myths/Facts in Level Two-Detention

This lists all the myths and facts in Level Two-Detention, along with reference sources for each.

[fact] When someone that is fleeing persecution arrives to the United States, there is a pretty high chance that they and even their kids will be thrown into prison.

- Fact: Correct! Though we claim to be a country that is sympathetic to refugees of war, we actually allow very few asylum seekers to stay. And those who we do let stay must first hang out in prison to await their fate.
- Myth: Nope, actually it's true! The United States treats refugees of war harshly and often makes entering the country impossible.

"In Liberty's Shadows-U.S. Detention of Asylum Seekers in the Era of Homeland Security," *Human Rights First*, 2004.
http://www.humanrightsfirst.org/asylum/asylum_03.htm

[myth] Locking immigrants up drains the economy.

- Fact: Wrong. Local prisons jail immigrants to earn extra money, which adds to the local town's economy.
- Myth: Correct! Local prisons jail immigrants to earn extra money, which adds to the local town's economy.

"The REAL DEAL: Detaining America's Immigrants: Is this the best solution?" *Detention Watch Network, The National Immigration Project and the Rights Working Group*.
<http://65.36.162.162/files/RealDealDetention.pdf>

[fact] Immigrant detention centers are privately owned by profit-making corporations.

- Fact: Correct, you know your stuff! Private prisons make huge profits from locking up immigrants; like the Corrections Corporation of America that made \$1.33 billion in profit in 2006. We need to reform prison laws so that corporations do not make profits from jailing people.
- Myth: You got it wrong! Private prisons make huge profits from locking up immigrants; like the Corrections Corporation of America that made \$1.33 billion in profit in 2006. We need to reform prison laws so that corporations do not make profits from jailing people.

“2006 Annual Report,” *Corrections Corporation of America (CCA)*, 2006. <http://www.shareholder.com/cxw/>

[myth] Detention centers that house immigrants are like hotels where they are treated with dignity and respect.

- Fact: Nope, unfortunately this is not true! Detention centers are prisons where immigrants are kept indefinitely, sometimes for many years. At least 62 people have died while in ICE custody, with many accusations of medical mistreatment.
- Myth: Correct! Detention centers are prisons where immigrants are kept indefinitely, sometimes for many years. At least 62 people have died while in ICE custody, with many accusations of medical mistreatment.

“New Scrutiny as Immigrants Die in Custody,” *The New York Times*, June 26, 2007.
<http://www.nytimes.com/2007/06/26/us/26detain.html?ex=1269230400&en=9f344fad5e4fa81a&ei=5035&partner=MARKETWATCH>

[myth] People who are undocumented have chosen not to apply for residency or citizenship.

- Fact: Nope! Actually for millions of undocumented immigrants in this country, there is no law allowing them to apply for residency or citizenship. They are stuck waiting in limbo, hoping that someday the government will give them the chance to apply.
- Myth: You’re right ... this isn’t true! For millions of undocumented immigrants in this country, there is no law allowing them to apply for residency or citizenship. They are stuck waiting in limbo, hoping that someday the government will give them the chance to apply.

“Undocumented Immigrants-The Facts,” *Minnesota Advocates for Human Rights*, 2006.
<http://www.energyofanation.org/fa3cb4ea-0c3e-4a1c-b10b-8f488750df4c.html?NodeId=>

[fact] Children who arrive without valid visas or paperwork at United States borders and airports are placed in jail.

- Fact: You’re right. It’s a myth that we do not put kids in jail in this country. 5,000 children are reported to be in Department of Homeland Security (DHS) custody—many held in juvenile jails and shelters.
- Myth: Nope! Children who arrive without valid visas or paperwork at United States borders and airports are placed in detention. 5,000 children are reported to be in Department of Homeland Security (DHS) custody—many held in juvenile jails and shelters.

“ACLU Challenges Prison-Like Conditions at Hutto Detention Center on Behalf of Immigrant Children, *American Civil Liberties Union*, August 27, 2007.
<http://www.aclu.org/immigrants/detention/hutto.html>

[fact] Judges who hear deportation cases have the power to consider the individual circumstances of each case.

- Fact: Correct! Unfair immigration laws take away the ability of judges to consider an immigrant's individual circumstances, even if they are leaving behind family and children. Many upstanding legal residents have had to pay for minor offenses committed years ago because the laws apply to past mistakes.
- Myth: Nope! Unfair immigration laws take away the ability of judges to consider an immigrant's individual circumstances, even if they are leaving behind family and children. Many upstanding legal residents have had to pay for minor offenses committed years ago because the laws apply to past mistakes.

"Forced Apart: Families Separated and Immigrants Harmed by United States Deportation Policy," *Human Rights Watch*, July 2007. <http://www.hrw.org/reports/2007/us0707/>

[myth] Immigrants who have been detained always have access to a court-appointed lawyer.

- Fact: Nope! The right to a lawyer and a fair trial has become a myth in the United States. 84% of all detained immigrants have NO lawyer. Some do not even get the chance to appear before a judge.
- Myth: Correct! Right now, 84% of all detained immigrants have NO lawyers. Some do not even get the chance to appear before a judge.

"Immigration Enforcement: The Rhetoric, The Reality," *Transactional Records Access Clearinghouse*, Syracuse University, 2006. <http://trac.syr.edu/immigration/reports/178/>

Moral Decisions

Players encounter various moral decisions. Wrong decisions send a player to The Hole (solitary confinement).

Verbal Abuse

An officer verbally abuses you. How do you react?

- Ignore the Comment
- Taunt the Officer Back

If player chooses Ignore the Comment

Even though the guards yell at you and call you a "dumb immigrant," you need to keep your cool. Do not give them a reason to throw you into solitary confinement.

If player chooses Taunt the Officer Back he/she is sent to The Hole

Hunger Strike

Most prisons serve small amounts of horrible food. It's often cold, dirty and not nutritious. On hot days, the servers' sweat can drip into the food.

- Leave
- Start a Hunger Strike

If player chooses Start a Hunger Strike he/she is sent to The Hole

Try to Watch Tv

You want to watch TV, but the show is in a language you don't understand. Do you change the channel?

- Leave It Alone
- Change the Channel

If player chooses Change the Channel

Step out of line, stand up for yourself and the guards may throw you into The Hole.

Someone tries to start a fight when you change the TV channel. What do you do?

- Change the Channel Back
- Fight

If player chooses Fight he/she is sent to The Hole

Make a Break for It

You've finally been let out for a bit of fresh air. There's a small break in the fence. Do you try to escape?

- Stay Inside
- Try to Escape

If player chooses Try to Escape he/she is sent to The Hole

The Hole

You are now in the "the hole," where you will lose all concept of time. Because you can't do anything to get out and you may be put in chains, you might suffer from severe anxiety and could even go crazy. Being in the hole can also make you vulnerable to rape or sexual assault.

OR

You think torture only happens in other countries? In 2005, in New Jersey, a group of prisoners were so badly abused that they led a hunger strike and one even died!

Other Scenarios

Your Cell

Here's your cell. Not too cozy, and your cellmate isn't very friendly. How will you pass the time?

- Write a Letter to Your Lawyer
- Take a Nap

If player chooses Take a Nap

Jail sucks. The air is often thick with rancid cigarette smoke, your bed has all sorts of unsanitary stains on it and there are cockroaches and insects sharing your cell. Get up and Write Your Lawyer.

If player chooses Get Up and Write Your Lawyer

The government wastes 1.2 billion dollars of taxpayers' money each year to detain immigrants, some of whom have committed no crime. We pay \$95 a day to keep people in jail—more than it costs to educate a child.

Terrible Food

You walk into the cafeteria for lunch, but the food smells like cat vomit. Do you take a tray?

- Leave It
- Take a Tray

The Showers

You've found the showers, but there are no curtains, and the warden's office is directly across from you.

Do you shower?

- Don't Shower
- Shower

Toilet Stall

In some facilities, the bathrooms may not have doors, leaving you open to harassment by the guards.

- Hold It
- Go Anyway

Facts About Detention

These facts about detention pop-up throughout Level Two-Detention.

Outdoors

In some jails detainees never even get to go outside. And in jails where there is some outside space, free time is often limited to less than an hour a week.

- Keep Walking

Detention Center

Once you've gone in, there's no limit to how long it might take to get out. Immigrants were kept for an average of 4 months in 1986, 21 months in 2001 and now, the numbers are skyrocketing.

- Move Along

Poor Facilities

Homeland Security uses crumbling old jails, stuffing up to 200 detainees in a gym in horrible and inhumane conditions.

- Move On

Collect Call Your Family

FACT! In the last 10 years, the prison industry has made 175 million dollars in profits off phone calls made by the families of those in prison.

- Dial

Collect Call a Lawyer

Did you know that sometimes there are no payphones in jail, so you can't even call family, friends or lawyers unless you make collect calls?

- Dial

Visit a Lawyer

Ha! You're lucky if your lawyer even finds you. Detainees are moved around to different prisons, often without any notice.

- Meet with a Lawyer About Your Case

Visit a Loved One

Meeting with your family hurts you too much, it might be better if they just didn't come.

- Sit Down and Talk

Visit Family

Fact. Nearly 3 million children in the United States have been left behind by a parent in jail. Many of them are children of immigrants, detained for unknown amounts of time.

- Talk to Your Family

Visit Your Sweetheart

Visits with your friends and family are one of the best ways for you to feel better and get help. Sometimes they are all you have for financial and emotional support.

- Sit Down and Talk

Broken Phone

FACT! Verizon and MCI charge families in prison 6 times more for a phone call than they charge the average customer.

- Leave

Phone In Use

If you call your family collect every day, the phone bill may be higher than the rent!

- Leave

Vending Machine

The cafeteria food stinks in jail. You can pay high prices for name brand food in vending machines, but remember then you can't pay your lawyer.

- Leave

Voluntary Departure

Throughout the game, players can choose to give up their fight and agree to voluntary deportation, but then they would never see friends and family again. Only a player can decide if it is worth it.

If your time in detention is getting a little too intense, you can agree to voluntary departure and return to the place where you were born. However, if you say "yes," you may not be able to return to the United States for a long time, if ever.

Do you still wish to offer yourself up for voluntary departure?

Proceeding Time

Once a player completes the myth/fact questions and faces moral decision they face Proceeding Time.

Proceeding Time

It is time for your hearing. Go to the immigration proceeding room.

- Go to Hearing

When player chooses Go to Hearing

Immigration Proceeding Room

This might look like court, but it's not. Here you are guilty until proven innocent, but you don't have a chance in hell to prove your innocence, because like 84% of all detained immigrants, you will not have a lawyer.

- Start Your Hearing

When player chooses Start your Hearing there are 3 outcomes to their deportation case:

Hearing Concluded

We're deporting you indefinitely without return.

Leave the country.

Hearing Concluded

You're free to go.

Leave the Detention Center.

Hearing Concluded

You'll be staying with us another 3 months.

Leave the Proceeding Room.

Character Outros

Depending on the character a player has chosen, if he/she gets deported they will see the following conclusions.



Ayesha

CRIME: None.

OUTCOME: Deported for writing an essay in school about freedom of speech and the Department of Homeland Security.



Javier

CRIME: Undocumented because the United States government has not created any means for those who want to apply for residency after living here their whole lives.

OUTCOME: Was picked up when skating and later deported.



Marc

CRIME: Fighting in America's war and ending up depressed.

OUTCOME: Because the government didn't provide him with mental health support when he returned from war, he turned to alcohol and crime as an escape. Deported for violating the conditions of his green card.



Anna

CRIME: Charged as an adult for smoking weed when she was a teenager.

OUTCOME: The lawyer who was supposed to get Anna's citizenship was a fake! Since she wasn't a citizen, she was doubly punished—not only did she serve her sentence, she then had to spend three years in jail fighting her case. After \$10,000 in legal expenses and support from her community, she was allowed to stay in the country.



Suki

CRIME: None.

OUTCOME: Didn't take enough credits his first semester at college, so he was deported.



Appendix E

Links to New York State Standards and Regents Exam Themes

NEW YORK STATE SOCIAL STUDIES STANDARDS ADDRESSED BY ICED CURRICULUM

There are five Learning Standards at the Commencement Level in New York State. This curriculum addresses Standard 5: Civics, Citizenship, and Government.

Standard 5 states:

“Students will use a variety of intellectual skills to demonstrate their understanding of the necessity for establishing governments; the governmental system of the United States and other nations; the United States Constitution; the basic civic values of American constitutional democracy; and the roles, rights, and responsibilities of citizenship, including avenues of participation.”

Through the ICED curriculum, students will meet the following performance indicators:

Students will be able to:	Corresponding lesson:
Analyze how the values of a nation and international organizations affect the guarantee of human rights and make provisions for human needs.	Lesson One Lesson Two
Understand how citizenship includes the exercise of certain personal responsibilities, including voting, considering the rights and interests of others, behaving in a civil manner, and accepting responsibility for the consequences of one's actions.	Lesson Three Take Action
Analyze issues at the local, state, and national levels and prescribe responses that promote the public interest or general welfare, such as planning and carrying out a voter registration campaign.	Lesson Two Take Action
Explore how citizens influence public policy in a representative democracy.	Lesson One Lesson Two
Analyze the disparities between civic values expressed in the United States Constitution and the United Nations Universal Declaration of Human Rights and the realities as evidenced in the political, social, and economic life in the United States and throughout the world.	Lesson Four Take Action
Identify, respect, and model those core civic values inherent in our founding documents that have been forces for unity in American society.	Context and Background Lesson One Lesson Two
Evaluate, take, and defend positions on what the fundamental values and principles of American political life are and their importance to the maintenance of constitutional democracy.	Context and Background Lesson One Lesson Two

Take, defend, and evaluate positions about attitudes that facilitate thoughtful and effective participation in public affairs.

Consider the need to respect the rights of others, to respect others' points of view.

Participate in school/classroom/community activities that focus on an issue or problem.

Explain how democratic principles have been used in resolving an issue or problem.

Lesson Three
Take Action

All discussion activities,
included in each lesson

Lesson One
Lesson Two
Lesson Three
Lesson Four
Entire Unit

Take Action
Extension Lesson One

NEW YORK STATE ENGLISH LANGUAGE ARTS STANDARDS ADDRESSED BY ICED CURRICULUM

There are three Learning Standards at the Commencement Level in New York State for English Language Arts. This curriculum addresses the following Standards:

Students will:

Read, write, listen, and speak for information and understanding.

Read, write, listen, and speak for critical analysis and evaluation.

Read, write, listen, and speak for social interaction.

Didactic Tool/Activity in ICED Curriculum:

Lesson One–Four
All discussions

Lesson One–Four
All discussions

Lessons One–Four
Take Action
All discussions
Letter writing campaign

PREPARATION FOR NEW YORK STATE REGENTS EXAMINATION

In New York State, Regent Examinations are crucially important for many students, and teachers are challenged to prepare students for the test while infusing human rights lessons. In addition to the test preparation questions that are included with each lesson, activities, media, and lessons prepare students to answer questions in the following thematic areas:

On the United States History and Government Examination:

- Civil Rights
- Immigration
- United States Constitution
- Principle of Checks and Balances

On the Global History Examination:

- Conflict
- Justice and Law
- Movement of People and Goods
- Diversity
- Nationalism and Nation-States
- Political Systems and Citizenship
- Power
- Human Rights Science and Technology



Breakthrough

4 West 37th Street, 4th Floor

New York, NY 10018 USA

Tel: 1.212.868.6500

Fax: 1.212.868.6501

info@breakthrough.tv

www.breakthrough.tv

iced@breakthrough.tv

www.icedgame.com