San José State University

College of Health and Human Sciences / Department of Justice Studies JS 218, Immigration, Law and Justice, Section 01, Spring, 2020

Course and Contact Information

Instructor(s): Edith Kinney, J.D., Ph.D.

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Office Hours: Tuesdays, 2:00 - 4:00 p.m. Sign up for an appointment here:

http://bit.ly/kinneyofficehours Email for alternative phone or Zoom

appointment times.

Class Days/Time: Tuesdays, 4:30 – 7:15 p.m.

Classroom: 526 MacQuarrie Hall

Course Description

Graduate level interdisciplinary analysis of the cultural, political and socioeconomic implications of contemporary migratory movements and immigration control policies in the United States, with particular emphasis on notions of international human rights and global justice.

Course Format

This is a weekly seminar class, supplemented by Canvas for access to class assignments and materials. There will be Internet connectivity and technology requirements for Canvas.

Faculty Web Page and MYSJSU Messaging

Course materials such as syllabus, handouts, notes, assignment instructions, etc. can be found on Canvas Learning Management System course login website at http://sjsu.instructure.com. You are responsible for regularly checking with the messaging system through MySJSU on Spartan App Portal http://one.sjsu.edu to learn of any updates. For help with using Canvas see Canvas Student Resources page (http://www.sjsu.edu/ecampus/teaching-tools/canvas/student resources)

Course Learning Outcomes (CLO)

Upon successful completion of this course, students will be able to:

1. CLO 1: Student critically reads academic material regarding immigration for strengths, weaknesses, and relevant contributions to the justice studies field.

CLO 1 will be measured with these assignments: Book Review, Homework Assignments, and Final Research Paper.

- 2. CLO 2: Student critically analyzes historical and current events relating to immigration, law and justice. CLO 2 will be measured with these assignments: **Book Review, Homework Assignments, Current Event Report, and Final Research Paper.**
- 3. CLO 3: Student orally communicates in a critical manner their understanding of class material and compellingly presents their original research paper.
 - CLO 3 will be measured with these assignments: Current Event Report and Oral Presentation.
- 4. CLO 4: Student demonstrates competency in research and writing regarding the cultural, social, and political implications of transnational migrations and justice system responses to migrations. CLO 4 will be measured with these assignments: Book Review, Homework Assignments, Current Event Report, Oral Presentation, and Final Research Paper.

Required Texts/Readings

Textbooks

Armenta, A. (2017). *Protect, Serve, and Deport: The Rise of Policing as Immigration Enforcement*. University of California Press. https://doi.org/10.1525/luminos.33. ISBN: 9780520296305
This book is available as a free download here: https://www.luminosoa.org/site/books/10.1525/luminos.33/

Hamlin, R. (2014). Let me be a refugee: Administrative justice and the politics of asylum in the United States, Canada, and Australia. Oxford University Press. ISBN: 9780199373314

Eagly, I. (2013). Julie A Dowling and Jonathan Xavier Inda (eds), Governing Immigration through Crime: A Reader. Punishment & Society, 15(5), 560-564. ISBN-13: 978-0804778817 ISBN-10: 9780804778817 This book is available as an e-book through SJSU's Library website here: https://sjsu-primo.hosted.exlibrisgroup.com/permalink/f/egdih2/TN_sage_s10_1177_1462474513506836

Gerber, D. (2011). American immigration: A very short introduction. Oxford; New York: Oxford University Press. ISBN-13: 978-0195331783 ISBN-10: 0195331788

This book is available as an e-book through SJSU's Library website here: https://sjsu-primo.hosted.exlibrisgroup.com/permalink/f/1cue0e3/01CALS ALMA71397804280002901

Other Readings

Supplemental readings will be posted on the Canvas website. The course reading schedule is subject to change; check your Canvas messages regularly for any updates.

Library Liaison

For help with library resources and library research (including the use of databases and online research materials—such as journal search engines), students are strongly encouraged to contact the Justice Studies Library Liaison: Nyle Monday, nyle.monday@sjsu.edu

Course Requirements and Assignments

A student's final grade is based on points earned for completing several assignments and activities, including demonstrating knowledge of course readings, completing written assignments, and participating in online discussions.

<u>University Policy S16-9</u>, Course Syllabi (http://www.sjsu.edu/senate/docs/S16-9.pdf) requires the following language to be included in the syllabus:

"Success in this course is based on the expectation that students will spend, for each unit of credit, a minimum of 45 hours over the length of the course (normally three hours per unit per week) for instruction,

preparation/studying, or course related activities, including but not limited to internships, labs, and clinical practica. Other course structures will have equivalent workload expectations as described in the syllabus."

Assignments

- 1) Classroom Activities, Quizzes, Discussion, and Participation (10% of final grade)
- 2) Current Event Reports (2 reports worth 10% each for 20% of final grade)
- 3) Homework Assignments and Reading Responses (20% of final grade)
- 4) Book Review (15% of final grade)
- 5) Research Paper (30%)
- 6) Final Project Presentation (5% of final grade)

1) Classroom Activities, Quizzes, Discussion, and Participation

(10% of final grade)

Active participation is key to the success of our seminar and your learning experience. Students are required to keep up with the assigned reading, and are expected to contribute to discussions in class by posing at least 1 substantive discussion question and at least 3 comments during each class meeting. Be mindful to engage others and ensure others are able to contribute to discussion. The participation grade will be based on contributions to class discussion, posts and responses to our Canvas discussion board regarding video assignments and current events, short quizzes on assigned readings, and any reflection papers submitted on (optional) extra credit activities.

Learning Outcomes: CLO 1, CLO 2, CLO 3, and CLO 4.

Grading Rubric:

Discussions: Complete/Incomplete

Quizzes: Points out of 100

Participation: Contribute at least one comment and one question per class meeting; enhance participation

by posting on Canvas.

2) Current Event Reports

(2 reports, worth 10% each for 20% of final grade)

Students will complete two current event reports related to course topics. The student will write a report that provides a concise explanation of the event/issue, the relevant law or policy, a description of specific human rights protections or violations, tactics of any advocacy organizations involved in the selected topic, and the student's thoughts/observations/critiques regarding the current event and what should be done about the issue. Post a link to the news article and your analysis to Canvas. Students will give the class an oral report of their current event report and be "on call" to help lead class discussion.

Learning Outcomes: CLO 2, CLO 3, and CLO 4.

Grading and Due Dates:

10% Citation (APA format) and link provided

10% The topic is related to topics we are studying regarding immigration, law and justice, and the analysis links to course readings, topics, or themes (broadly understood).

60% The written news report shows analysis and thought. The source is vetted and fact-checked. The points made are supported by examples.

10% Poses at least 1 substantive discussion question in written report.

10% In-class presentation of current event that describes the case and poses your substantive discussion question to the class.

3) Homework Assignments and Reading Responses

(20% of final grade)

Students will provide written responses to prompts for each Module and complete quizzes on assigned readings and current events.

Learning Outcomes: CLO 1, CLO 2, and CLO 4.

Grading:

Homework Assignments will be graded on a 10-point scale, rubrics included in each prompt. Quizzes will be graded on a 10-point scale. Together, Homework Assignments and Quizzes are worth 20% of the final grade. Due dates on Canvas.

4) Book Review (15% of final grade)

Students will write a 2-page (single-spaced, 12-point font) assessment of a scholarly book, describing themes regarding immigration, law, and courts addressed in the text.

Learning Outcomes: CLO 1, CLO 2, and CLO 4.

Grading and Due Date:

This assignment will be graded on a 100-point scale based on a standard rubric. The review is worth 15% of the final course grade. Post the film review to Canvas by **4:29 p.m. on March 17, 2020.**

5) Immigration, Law, and Justice Research Paper Project

(30% of final grade)

Students are required to write an original 15-20 page research paper that addresses an issue of your choosing (in consultation with the professor) related to immigration, law, and justice. Papers will be evaluated based on the quality and organization of their writing, as well as evidence of substantial effort to edit and respond to feedback. Review the writing guidelines and detailed rubric available on Canvas. This assignment observes that writing is a process; to complete the research paper, students will submit the following benchmarks, each worth 2 points (for a total of 10 possible points on the final paper grade):

Benchmarks:

- 1. Office Hour consultation regarding paper topic (before 2/27) (2 points possible)
- 2. Paper Proposal (due 3/10) (2 points possible)
- 3. Outline of your paper (2 pages), plus a reference list (APA format) of at least three empirical, peer reviewed journal articles that you intend to use in your paper (due 3/24) (2 points possible)
- 4. A rough draft for peer review (due 4/21) (2 points possible)
- 5. Complete a peer review (due by 4/28) (2 points possible)
- 6. The final paper, incorporating responses to the peer review and feedback (due by 5/19) (90 points possible)

Learning Outcomes: CLO 1, CLO 2, and CLO 4.

Grading and Due Date:

This assignment will be graded on a 100-point scale based on a standard rubric. Post the final version of your paper to Canvas by 11:59 p.m. on May 19, 2020.

6) Final Project Presentation

(5% of final grade)

Students will give a brief PowerPoint / Google Slides / Prezi presentation to the class on their research project. Students should distribute a one-page summary to the rest of the class and the instructor.

Final presentations will take place during the scheduled final activity on Tuesday, 5/19, 5:15 - 7:30 p.m.

Learning Outcomes: CLO 1, CLO 2, and CLO 3.

Grading:

The Final Presentation is worth 5% of the final course grade based on a standard rubric available on Canvas.

Grading Information

Course assignments and exams are weighted as described above. Descriptions of assignment requirements and rubrics are posted for each assignment on Canvas.

This course will be graded using the +/- system on final grades based on the following percentages:

A plus = 100 to 97 percent

A = 96.9 to 94 percent

A minus = 93.9 to 90 percent

B plus = 89.9 to 87 percent

B = 86.9 to 84 percent

B minus = 83.9 to 80 percent

C plus = 79.9 to 77 percent

C = 76.9 to 74 percent

C minus = 73.9 to 70 percent

D plus = 66 to 69.9 percent

D = 63 to 65.9 percent

D minus = 60 to 62.9 percent

F = 59.9 percent or lower

A "C" or higher is required to receive credit for this course toward a Justice Studies or Forensic Science Major.

No Extra Credit

No extra credit will be given; complete all assignments in a timely fashion to maximize your scores on course assignments, discussions, and activities.

Penalty for Late or Missed Work

Be sure to submit assignments before the due date. Late work will not be accepted without a documented excuse, and will result in a "0" (zero) grade for the assignment. If you know you will be unable to meet a deadline, email the professor in advance of the due date.

Classroom Protocol

- 1. This course depends on student participation, discussion, and interaction. Prepare for class to ensure you can contribute to discussion and debate.
- 2. All class participants are expected to foster an environment that encourages rigorous academic discussion and respectful participation, rather than silencing others (be respectful to one another, do not insult or intimidate others, evaluate alternative views with an open mind, check and provide facts to support analysis).

- 3. Students are expected to complete all readings and assignments by the dates indicated on the syllabus. Be sure to check the course Canvas website regularly for updates.
- 4. Readings about asylum and human rights abuses, injustice, discrimination, and violence can be challenging intellectually, personally, and emotionally. All students are encouraged to reflect on the course materials mindfully and engage in self-care; contact the professor if you are struggling with a particular topic or reading. If you or a friend is in need of emotional or mental health support, please visit SJSU's Counseling and Psychological Services (CAPS) www.sjsu.edu/counseling service. Phone: (408) 924-5910. Location: Student Wellness Center, Room 300.

University Policies

Per <u>University Policy S16-9</u> (http://www.sjsu.edu/senate/docs/S16-9.pdf), relevant university policy concerning all courses, such as student responsibilities, academic integrity, accommodations, dropping and adding, consent for recording of class, etc. and available student services (e.g. learning assistance, counseling, and other resources) are listed on <u>Syllabus Information web page</u> (http://www.sjsu.edu/gup/syllabusinfo), which is hosted by the Office of Undergraduate Education. Make sure to visit this page to review and be aware of these university policies and resources.

Justice Studies Reading and Writing Philosophy

The Department of Justice Studies is committed to scholarly excellence. Therefore, the Department promotes academic, critical, and creative engagement with language (i.e., reading and writing) throughout its curriculum. A sustained and intensive exploration of language prepares students to think critically and to act meaningfully in interrelated areas of their lives—personal, professional, economic, social, political, ethical, and cultural. Graduates of the Department of Justice Studies leave San José State University prepared to enter a range of careers and for advanced study in a variety of fields; they are prepared to more effectively identify and ameliorate injustice in their personal, professional and civic lives. Indeed, the impact of literacy is evident not only within a specific course, semester, or academic program but also over a lifetime.

JS 218 / Immigration, Law, and Justice, Spring 2020, Course Schedule

Note: The following course schedule is subject to change with fair notice.

Visit the course website on Canvas for articles and reading reflection assignments.

Check Canvas regularly for announcements and updates to the syllabus and course schedule.

Course Schedule

Module	Date	Topics, Readings, Assignments, Deadlines
1	1/28	MODULE 1: Introduction Readings: - Ten Myths About Immigration,
		Assignments: - Take US Citizenship and Immigration Services online naturalization and civics self-test https://my.uscis.gov/prep/test/civics
2	2/4	MODULE 2: Historic and Contemporary Contexts of Immigration Law Readings: Gerber, 2011, American Immigration: A Very Short Introduction How U.S. immigration laws and rules have changed through history https://www.pewresearch.org/fact-tank/2015/09/30/how-u-s-immigration-laws-and-rules-have-changed-through-history/ PEW Research, "5 Facts about U.S. Immigrants," https://www.pewresearch.org/fact-tank/2019/06/17/key-findings-about-u-s-immigrants/ PEW, "5 Facts about Illegal Immigration in the U.S." https://www.pewresearch.org/fact-tank/2019/06/12/5-facts-about-illegal-immigration-in-the-u-s/ Inskeep, Jan. 12, 2020, Op-Ed: "California's first attempt to pass anti-immigrant laws dates back to the Gold Rush," L.A. Times, https://www.latimes.com/opinion/story/2020-01-12/op-ed-californias-first-attempt-to-pass-anti-immigrant-laws-dates-back-to-the-gold-rush

Module	Date	Topics, Readings, Assignments, Deadlines
	2/11	MODULE 3: Migration in International Law, Politics, and Justice
		Guest Speaker, Kerstin Carlson, J.D., Ph.D.
		Readings: - Goodhart, Human Rights: Politics and Practice, Ch. 18, "Human Rights and Forced Migration" (Canvas)
		- Council on Foreign Relations, Infoguide, "No Refuge: Why the World's Swelling Refugee Population has Shrinking Options," https://www.cfr.org/interactive/refugee-crisis/?utm_medium=email&utm_source=educators&utm_content=02201
		9&sp_mid=58607404&sp_rid=ZWRpdGgua2lubmV5QHNqc3UuZWR1 S0#!/a-system-under-strain
		- Kerstin Carlson, "Migration in the Mediterranean: Why it's time to put European Leaders on Trial," <i>The Conversation</i> , https://theconversation.com/migration-in-the-mediterranean-why-its-time-to-put-european-leaders-on-trial-120851?fbclid=IwAR2XJkPtpqqoTi-4USST4cZ-KNrlX2W_2-iLTbeHXk5e-38BSgU9bBGyBZ0
		- Kerstin Carlson and Line Engbo Gissel, "Why the Gambia's plea for the Rohingya matters for international justice," <i>The Conversation</i> , https://theconversation.com/why-the-gambias-plea-for-the-rohingya-matters-for-international-justice-129365?fbclid=IwAR0ZLxveQuixih8zhjCwrL6G7T6fLb9A6C5J-GnW-B_0mobcNzA32kk-hRQ
4	2/18	MODULE 4: Researching Immigration, Crime, and Victimization in the Context of the U.S. "Crimmigration Crisis"
		Guest Speaker, Wilson Yuan, Ph.D.
		Readings: - Nowrasteh, "Illegal Immigrant Crime Wave?" https://www.cato.org/publications/commentary/illegal-immigrant-crime- wave-evidence-hard-find
		- Ousey, G. C., & Kubrin, C. E. (2018). Immigration and Crime: Assessing a Contentious Issue. <i>Annual Review of Criminology</i> , <i>I</i> (1), 63–84. https://doi.org/10.1146/annurev-criminol-032317-092026
		- Selections from <i>Governing Immigration through Crime</i> reader: Introduction Part I: Law and Criminalization Ch. 2, Stumpf, "The Crimmigration Crisis: Immigrants, Crime, and Sovereign Power"

Module	Date	Topics, Readings, Assignments, Deadlines
		 <u>Video:</u> Dr. Charis Kubrin, "Immigration and Crime: Is the Narrative Fact or Fiction?," https://www.youtube.com/watch?v=f-jJSCLdT4c <u>Activity:</u> Research paper proposal workshop
5	2/25	MODULE 5: Human Trafficking Readings: - Human Trafficking Module readings on Canvas - Goodhart, Ch. 16, "Trafficking for Sexual Exploitation" - Council on Foreign Relations, "Human Trafficking and Modern Slavery," https://www.cfr.org/interactives/modern-slavery/#!/section2/item-7
6	3/3	- Council on Foreign Relations, "Fleeing Home: Refugees and Human Trafficking," https://www.cfr.org/blog/fleeing-home-refugees-and-human-trafficking MODULE 6: Asylum and Refugees in the U.S.: At the Border and in the Courts
		 Guest Speaker, Angie Bortel, Esq., The Bortel Firm Readings: Excerpts from Hamlin, R. (2014). Let me be a refugee: Administrative justice and the politics of asylum in the United States, Canada, and Australia. Oxford University Press. Jordan, 2019, "I'm Kidnapped': A Father's Nightmare on the Border," New York Times, Dec. 21, 2019, https://nyti.ms/2Q31eus TRAC "Asylum Decisions Vary Widely Across Judges and Courts," https://trac.syr.edu/immigration/reports/590/?fbclid=IwAR22jUmBWuNt0TaO-Kw8Arv3QfVuriz-F8kNTdNMGHHiQ_H6Xp17mSaI1j8 Selections from AILA, "Featured Issue: Border Processing and Asylum," Jan. 2020, https://www.aila.org/advo-media/issues/all/featured-issue-end-family-separation-and-the-zero

Module	Date	Topics, Readings, Assignments, Deadlines
		Interactive Activities: International Rescue Committee, "Quiz: What is asylum? Who are asylum seekers? https://www.rescue.org/article/what-asylum-who-are-asylum-seekers-test-your-knowledge International Rescue Committee, "Is it legal to cross the US border to seek asylum," https://www.rescue.org/article/it-legal-cross-us-border-seek-asylum Council on Foreign Relations, "How Does the U.S. Refugee System Work?," https://www.cfr.org/backgrounder/how-does-us-refugee-system-work
		<u>Videos:</u> - Bearing Witness: AILA Delegation's Visit to the Southern Border, https://youtu.be/rghtR2rgtw0
7	3/10	 MODULE 7: Gender, Sexual Orientation, and Asylum Readings: Hamlin, R. (2014). Let me be a refugee: Administrative justice and the politics of asylum in the United States, Canada, and Australia. Oxford University Press, Ch. 7, "Asylum for Women: Reading Gender into the Refugee Definition" Council on Foreign Relations, "Bringing a Gender Lens to Immigration: Domestic Violence—Based Asylum and Family Separation," https://www.cfr.org/blog/bringing-gender-lens-immigration-debate Human Rights in Our Own Backyard, Ch 14, "Sexual Citizenship, Marriage, Adoption, and Immigration in the United States" (e-book available through the SJSU Library) UN "Free and Equal Campaign," Refuge and Asylum, https://www.unfe.org/wp-content/uploads/2018/10/Refugees-English.pdf Assignment: Paper proposal due by 4:29 p.m. on Canvas

Module	Date	Topics, Readings, Assignments, Deadlines
8	3/17	MODULE 8: Policing and Immigration Enforcement
		 Readings: AIC, "Immigration Detainers: An Overview," (2017) https://www.americanimmigrationcouncil.org/sites/default/files/research/immigration_detainers_an_overview_0.pdf Armenta, A. (2017). Protect, Serve, and Deport: The Rise of Policing as Immigration Enforcement. University of California Press. Assignment: Book review of Protect, Serve, and Deport due by 4:29 p.m., 3/17
9	3/24	MODULE 9: "Secure Communities" and Sanctuary Cities: Local Responses to Federal Immigration Policies Readings: - Chen, "Trust in Immigration Enforcement: State Noncooperation and Sanctuary Cities after Secure Communities," 91 Chicago Kent L Rev (2015), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2638849 - NPR, "Why Sanctuary Cities are Safer," (2017) https://www.npr.org/sections/codeswitch/2017/01/29/512002076/why-sanctuary-cities-are-safer - Sanctuary Cities legal cases (Canvas) Assignment: - Paper outline (2 pages) and reference list due by 4:29 p.m. on Canvas
	3/31	NO CLASS – SPRING BREAK Video: Living Undocumented (Netflix) https://www.netflix.com/title/80209609
10	4/7	MODULE 10: Immigration Detention and Deportation Readings: - Smita Ghosh, Washington Post, July 19, 2019, "How migrant detention became American policy," https://www.washingtonpost.com/outlook/2019/07/19/how-migrant-detention-became-american-policy/

Module	Date	Topics, Readings, Assignments, Deadlines
		 Excerpts from Schrag (2020) Baby Jails FRONTLINE, 2020, "Exclusive: A Child Held at Border Patrol's Troubled Clint Facility Shares Her Story," <a and="" by="" deportation="" exiled="" href="https://www.pbs.org/wgbh/frontline/article/exclusive-a-child-held-at-border-patrols-troubled-clint-facility-shares-her-story/?utm_source=email&utm_medium=social&utm_campaign=share_button </th></tr><tr><td>10</td><td>4/14</td><td>MODULE 10: Immigration Detention and Deportation</td></tr><tr><td></td><td></td><td>Readings:</td></tr><tr><td></td><td></td><td>- Selections from <i>Governing Immigration through Crime</i> reader:
Introduction to Part IV: Detention and Deportation
Ch. 12, Coutin, " inviability="" law:="" life"<="" of="" td="" the="">
		- USA Today, "The Detainees," Dec. 22, 2019, https://www.usatoday.com/in-depth/news/nation/2019/12/19/ice-asylum-under-trump-exclusive-look-us-immigration-detention/4381404002/
		Activity:
		- Drafting and researching paper topics
11	4/21	MODULE 11: Activism and Resistance: DACA
		Readings:
		- Selections from <i>Governing Immigration through Crime</i> reader: Introduction to Part V: Immigrant Contestations Gonzales, Ch. 14, "Left Out but Not Shut Down: Political Activism and the Undocumented Student Movement"
		- Valverde, Nov. 14, 2019, "Donald Trump says some DACA recipients are 'very tough, hardened criminals.' That's False," https://www.politifact.com/truth-o-meter/statements/2019/nov/14/donald-trump/donald-trumps-label-some-daca-recipients-very-toug/
		- Legal challenges to DACA and local policy responses (Canvas)
		Assignment:
		- Rough draft for peer review due by 4:29 p.m. on Canvas
12	4/28	MODULE 12: Immigration, Naturalization, and Citizenship
		- AIC, "Why Don't Immigrants Apply for Citizenship? There is No Line for Many Unauthorized Immigrants" (Nov. 2019),

Module	Date	Topics, Readings, Assignments, Deadlines
		https://www.americanimmigrationcouncil.org/sites/default/files/research/why_dont_immigrants_apply_for_citizenship.pdf - Kessler, <i>The Washington Post</i> , Aug. 25, 2015, "Fact Checker: 'Birth tourists' and 'anchor babies:' What Trump and Bush got right" https://www.washingtonpost.com/news/fact-checker/wp/2015/08/25/birth-tourists-and-anchor-babies-what-trump-and-bush-got-right/ - Chen, 2019, <i>The Conversation</i> , "U.S. citizenship applications are backlogged, prolonging the wait for civil and voting rights" https://theconversation.com/us-citizenship-applications-are-backlogged-prolonging-the-wait-for-civil-and-voting-rights-123747
		 DeParle, "The American Nightmare – Review of Lauren Markham's <i>The Far Away Brothers: Two Young Migrants and the Making of an American Life</i>," Aug. 16, 2018, New York Times Review of Books, https://www.nybooks.com/articles/2018/08/16/children-border-american-nightmare/ (full article on Canvas). Assignment: Complete peer review due by 4:29 p.m. on Canvas
13	5/5	Conclusions: Immigration, Law, and Justice Behind and Beyond Borders Readings: - TBD (Canvas)
Final Exam	5/19	Culminating Seminar Activity Assignment: - Final Presentations Tuesday 5/19, 5:15 – 7:30