Sul Ross State University

Criminal Justice 4312
Immigration Law
Summer II: 2019

Professor: Martin Guevara Urbina, Ph.D.
Classroom: Web
Class Meeting: Online
Office: 201 (Faculty Building)
Phone: 830/703-4820 (office, direct line)
Hours: Monday and Tuesday, 12:00 to 5:00p.m. Even though this is an online course, you are welcome to visit the Professor’s office anytime.
E-mail: murbina@sulross.edu

Program Learning Outcomes:
1. Demonstrate proficiency in the application of legal concepts, theoretical applications, scientific principles, and historical trends in the criminal justice arena.

2. Demonstrate competency in the application of basic research methods, to include: research design, statistical analysis, and uses of empirical findings and interpretations.

3. Demonstrate the application of organizational principles, cultural, social and behavioral knowledge, critical thinking skills and cognitive thought processes within the criminal justice arena.

Course Description and Objective: Immigration Law will offer a comprehensive analysis of immigration in the United States and abroad. The focus will be primarily, but not exclusively, on the following: (1) an examination of formal US immigration laws, (2) the principal (main) policymakers influencing the nature and dynamics of immigration laws, (3) how, when, and why decision-makers (and other non-government individuals) opt to support or not support immigration laws, (4) the elements involved in the development and enforcement of immigration laws, and (5) the internal and external forces governing immigration laws. Specifically, the intent of this course is to provide students with a detailed understanding of 12 main topics, which are best expressed in the following questions:

1. Historically, what has been the evolution of immigration laws in the United States? To enhance our understanding of current immigration legislation, we must first explore the
various laws implemented over the years to govern immigration and immigration related issues, events, and circumstances.

2. What are the purposes (rationale) of immigration laws?

3. Who are the most powerful actors/players in the development, enforcement, and administration of immigration laws? Who has played the most significant role in “shaping and reshaping” immigration legislation? What makes these individuals so powerful and influential in the immigration debate, which is “as old as” the United States itself?

4. Pragmatically, theoretically, philosophically, politically, economically, culturally, and socially, what are the dynamics of immigration law, as we know it today?

5. What FORCES (including the media) have driven and/or continue to drive the immigration debate and, by extension, immigration laws? Why?

6. What influence has immigration legislation played on the American society? There are a series of related questions that help shape our response to the first one: What have been the main “benefits” of past and current immigration laws? What, if any, have been the ramifications of prior or current legislation regarding immigration and related issues? How do the “benefits” compare to the “negative consequence” of past or currently immigration laws?

7. What is the significance of current immigration laws on the criminal justice system, to include law enforcement, the judicial system, and the correctional system?

8. What has been the role of immigration laws, historically, in shaping the nature deviance, crime, and public opinion? Secondary questions include: What do advocates of immigration law see as its main objectives? What do the critics of immigration law see as its main mission?

9. How successful have immigration laws been in achieving intended goals? Should the current immigration laws be retained, modified, or both? Is there a need for additional immigration laws? Ultimately, do immigrant laws really make a difference?

10. What myths surround immigration? And, what are their implications?

11. What are the implications and ramifications of “globalized immigration legislation and sanctions” on crime, the criminal justice system, and society?

12. What are the options/avenues for the establishment of a logical, effective, and just immigration laws? What is the future of immigration related laws in the US?

The next set of questions is essentially definitional in nature. It is essential that we share the same definitions of issues, events, situations, or problems if we are to come to a common understanding of both the problem and any possible remedies or solutions. As such, the class’s first segment deals with defining the concept of immigration law and placing it in a global context, as we are now dealing with transnational crime and criminal justice systems that transcend boundaries and borders.
The last set of questions is more analytical. A particular truism about criminal behavior, law enforcement, jurisprudence, penology, criminological, sociological, and theoretical aspects of the nature of society is as follows: There are many typologies of policing, jurisprudence, penology, immigration law, criminological, sociological, and legal theories as there are authors writing textbooks about the subject. The five-fold approach, then, we will take is an amalgam of several such typologies:

**History**—As in other classes, we will make use of historical events, situations, and circumstances to better understand the subject matter by its totality. It is essential that we obtain an understanding and appreciation for historical ruptures and discontinuities as we try to bridge existing gaps. According to an African proverb, “Until lions have their own historians, histories of the hunt will glorify the hunter.”

**Theory**—Theoretically, we must investigate which theories provide the best guidance in our search for “truth and reality,” the heart of the judicial system.

**Law and Society**—In a society where most behavior is governed by some type of law, it is vital that we explore the relationship between law and society, the focal element of the American legal system. To some scholars, laws are a measure of culture; crime, another element of all known cultures, is the violation of those laws. In essence, why do we have laws? Do we need laws? Does law really make a significant difference?

**Philosophy**—While penal, legal, sociological, and criminological theories might serve as “road maps” to everyday life, philosophy gives “meaning” to human existence. It enables us to better appreciate what matters most at the END of the day, and, more so, as we face our morality.

**Poetry**—Even though poetry is one of the oldest forms of dialogue, it is seldom mentioned in academic discussions. Yet, poetry allows us to transcend the unknown … it allows us to dream the impossible … to dream the impossible dream. “Invent the age, invent the metaphor. Without a credible structure of law a society is inconceivable. Without a workable poetry no society can conceive a [person].” --Archibald MacLeish, Apologia, 1972.

The final question has policy overtones. First, we must briefly look at the nature and process of human behavior, criminal behavior, and the US criminal justice system within an historical and legal context, with a focus on public safety, practicality, equality, and justice. Next, we turn to the more difficult task of linking criminal justice policy, sociological, psychological, legal, and criminological theory, particularly those we will review, to criminal behavior, legal rights, research, and practice, from an historical standpoint.

Overall, this course is designed to introduce you to the evolution and dynamics of Immigration Laws, and placing our analysis within the broader sphere of globalization, including the globalization of knowledge. By introducing you to influential issues that provide the frameworks to studying a wide variety of phenomena, I intend this course to be a basis for further, more in-depth study in the areas that interest you.

**Course Context:** As an upper-level course, this class may include controversial, sensitive, and/or adult material. For instance, an historical examination will explore the influence of immigration law in the context of conquest, colonialism, slavery, and lynching? Students are expected to have the mentality and readiness for upper-level content and rigor.
Course Structure: This course will be presented in modules. Please note that the ENTIRE course will be taught online via Blackboard.

Required Texts:
[ISBN: 978-0816537624]

Optional Readings:


Bosworth, Mary and Jeanne Flavin, eds. (2007). *Race, Gender, and Punishment: From Colonialism to the War on Terror*. Piscataway, NJ: Rutgers University Press.


**Recommended Readings**

**Books:**


**Book Chapters:**


Refereed (Peer-Reviewed) Journal Articles:


*The Justice Professional*, 15: 105-125.

**Encyclopedia, Magazine, and Other Publications:**


*LAE Journal*, 34-36.

*LAE Journal*, 22-25. (A reprint.)


**Weekly Assignments:**
There will be five (5) *Weekly Assignments*, each worth 20 points for a total of 100 points. The “Weekly Assignments” will be discussed further the first week of class. Please do NOT panic! Handouts will be posted to assist you as you prepare your weekly assignments.

**Activities/Participation:**
Please complete the *reading* assignments as assigned to avoid falling behind, and, more fundamentally, to capture the essence of the class. During the semester, I will be posting a question for you to *respond* (100 points) and post for ALL students to read. Again, please do NOT panic! If you do the reading, you should be fine. Participation in these “exercises” will be equated into your final grade.

**Mini-project:**
This should be a fun exercise that allows you to explore (critically) some aspect of human behavior as it pertains to *immigration law* in greater depth with less evaluation anxiety than you would have in a full-length paper assignment. I would like you to try to and choose a project that you will enjoy, and that will stimulate your thinking about the concepts covered in this course.
Mini-projects are optional. You will receive “extra credit” points for completing mini-projects. If your mini-project is adequate, you will receive one percentage point. This point(s) will be added on to your final grade at the end of the semester.

You may turn in your mini-projects any time during the semester. The projects will be of greater value, though, if they are done thoughtfully. Thus, you may not submit more than three (3) mini-projects.

There is no minimum or maximum length requirement. Typically you will hand in a three to five page typed paper as the final product of each mini-project. Some projects, however, may require longer (or shorter) write-ups. Your analysis should illustrate or explore some phenomenon relevant to the course, while knowledgeably using concepts, principles, and language in the context of the immigration law.

Attached to the end of the syllabus are descriptions of some mini-project options. Some of them will make more sense to you as we progress through the course. If you think of an alternative you would like to do as a mini-project, please feel free to ask me about it. Again, I am looking for you to implement class material—especially critical issues and perspectives—when describing the phenomena you choose to explore.

Make-up Work: A tentative schedule of assignment will be provided (posted) at the beginning of the semester. However, it is possible that the schedule will be modified during the semester. Hence, if you fail to log-on as discussed herein, it is the student’s responsibility to check with the Professor (or the Professor’s website) regularly to determine the deadlines for weekly readings, assignments, and activities. To this end, make-up exercises will NOT be given, unless otherwise specified. For missed readings, weekly assignments and activities (i.e., “special circumstances”), it is the student’s responsibilities to find out what make-up work is required. If you have any difficulties getting the assignments or making the deadlines, please contact me right way.

Note: Unless otherwise specified, all assignments and activities are due on the scheduled due date. No late assignments will be accepted.

Grades: There are a total of 200 points available in this course. Grades will be based on the total points for the semester. Specifically, grades will be assigned by comparing your performance to the best possible score (200) as follows:

Weekly Assignments: 100 points*
Activities/Participation: 100 points**

Total: 200 points

*Tentatively, Weekly Assignments will count for 100 points. However, it is possible that the total possible points (i.e., 200) will be increased, or reduced. If increased, the TOTAL POSSIBLE points
discussed herein (i.e., 200) will add to more than 200 points. If reduced, the TOTAL POSSIBLE points discussed herein (i.e., 200) will add to less than 200 points.

**Similarly, if the 100 Activities and Participation points are either increased or reduced, only the total possible points for Activities/Participation that are utilized will be equated in the final grade distribution. In such case, the TOTAL POSSIBLE points discussed herein (i.e., 200) will add to less (or more) than 200 points.**

**Grade Distribution:**

<table>
<thead>
<tr>
<th>Percentage</th>
<th>Grade</th>
</tr>
</thead>
<tbody>
<tr>
<td>90-100%</td>
<td>A (Excellent)</td>
</tr>
<tr>
<td>80-89%</td>
<td>B (Better than Average)</td>
</tr>
<tr>
<td>70-79%</td>
<td>C (Average)</td>
</tr>
<tr>
<td>60-69%</td>
<td>D (Below Average)</td>
</tr>
<tr>
<td>Below 60%</td>
<td>Failing</td>
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Note: Mini-project points will be added to your point total at the end of the course.

Please be aware of **class expectations, rules, and University/College Policies**, which follow:

**Attendance Policy:**
This course is “Web” based. Students are expected to log-on regularly, check the calendar for due dates and respond to all emails. Thus, it is to your advantage to log-on regularly. For instance, if you do not participate, you cannot learn the discussed material. Additionally, you will not be able to discuss the assigned readings. Much of the learning in class is through discussion with other students. In the process, feel free to ask questions and/or make comments that might enhance our understanding of the immigration law and related issues. Also, do not hesitate to share experiences that may help to enhance our understanding of the nature and significance of immigration within the context of the law. (Please reference Sul Ross State University—Rio Grande College Catalog for additional information.)

**Punctuality.** It is of extreme importance that you complete the readings and writing assignments on time to avoid falling beyond. I understand that it is not possible at times, but please do not make it a routine.

**Classroom etiquette.** Above all, always **respect** yourself and others; be **patient**; be willing to explore new ideas and perspectives; and restrict questions and comments to the topic being discussed.

**Incomplete Grades:**
PLEASE AVOID INCOMPLETE GRADES. ALL ASSIGNMENTS ARE DUE ON THE DATES OUTLINED IN THE SYLLABUS. It is the responsibility of students to notify the Professor if they cannot make an assignment or will not be able to log-on to the class. Please call me at 830/758-5017 if you do not plan to participate in a class discussion question or feel you will be missing an assignment. If I do not hear from you in regards to missed assignments, I will NOT allow an excuse for the missed work.
Class Responsibilities and Conduct:
You will be responsible for all information posted anytime during the semester. You will be responsible for obtaining announcements or amendments you may have missed. Any student who is intentionally abusive, disruptive, or disrespectful vis-à-vis posted discussions, activities, or emails will be asked immediately amend such communication, AND possibly dropped from the course. Any student who has been asked to amend “unjustified” communication twice will be reported to the Department Chair or Academic Dean. You are expected to show respect to yourself, other students, and your Professor.

Academic Honesty (Reference Sul Ross State University—Rio Grande College Catalog):
Rio Grande College expects its students to maintain high standards of personal and academic conduct. Students who take part in academic dishonesty are subject to disciplinary action. Academic dishonesty includes, but is not limited to, cheating on an examination or other academic work, plagiarism, collusion, and the abuse of resource materials. The faculty member is responsible for initiating action for each case of academic dishonesty. Discover any academic dishonesty by a student, may be reported to the Department Chair or Academic Dean.

Disability Services:
Students who have special instructional needs because of a physical handicap or a learning disability should discuss their special needs with the office of Student Disabilities Services. You may also see the University/College Catalog for additional information. Please do so before the end of the first week of class.

Drop Policy:
If you discover that you need to drop this class, you must contact the Records Office and ask for the necessary paperwork. Professors cannot drop students; this is always the responsibility of the student. The Record’s Office will give a deadline for which the paperwork and form, if required, must be returned, complete and signed. If you discover that you are still enrolled, FOLLOW-UP with the Records Office immediately. You are to attend class until the procedure is complete to avoid penalty for absence. Should you miss the deadline or fail to follow the procedure, you will receive an F in the course.

Library Services:
Library information and technology focus on research skills that prepare individuals to live and work in an information-centered society. Librarians will work with students in the development of critical reasoning, ethical use of information, and the appropriate use of secondary research techniques including: exploring information resources such as library collections and services, identify sources such as subject databases and scholarly journals, executing effective search strategies, retrieving, recording, and citing relevant results correctly, and interpreting search results and deciding whether to expand the search.

Again, I want this class to be useful to you in your future careers. As such, if I can assist you in any way, please stop by and see me or call/e-mail me. If a problem is to arise during the semester, please contact me immediately so that we can work out a solution. Do not wait until it is too late to remedy the problem.
### Tentative* Schedule of Classes and Assignments

<table>
<thead>
<tr>
<th>Week</th>
<th>Topic</th>
<th>Readings</th>
</tr>
</thead>
<tbody>
<tr>
<td>Week 1</td>
<td>A note on terminology; Timeline; Introduction; Part One: Immigrants &amp; the economy</td>
<td>Introduction (pages 3 to 29)</td>
</tr>
<tr>
<td></td>
<td><strong>Focus:</strong> Detail class expectations; provide a foundation for the study of immigration law and related issues; &amp; provide an introduction &amp; broad overview of the subject matter: immigration legislation.</td>
<td>Chapters 1 &amp; 2</td>
</tr>
<tr>
<td>Week 2</td>
<td>Immigrants &amp; the law</td>
<td>Chapters 3, 4 &amp; 5</td>
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<td></td>
<td><strong>Focus:</strong> Explore the major historical forces defining, shaping, and re-shaping the evolution and dynamics of immigration laws in the U.S.: cultural, financial, political, legal, philosophical, ideological, and the like.</td>
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<tr>
<td>Week 3</td>
<td>Immigration &amp; race</td>
<td>Chapters 6, 7, &amp; 8</td>
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<td></td>
<td><strong>Focus:</strong> Carefully examine the existing literature to better understand the influence of race and ethnicity in immigration laws and related issues, while searching for alternatives, improvements, effectiveness, etc., as we seek to provide a sound and holistic analysis, in its totality.</td>
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<tr>
<td>Week 4</td>
<td>Immigration, myths &amp; the media</td>
<td>Chapters 9 &amp; 10</td>
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<td><strong>Focus:</strong> Analyze historical trends, approaches, and motives for creating immigration policies in the US, including corresponding implications, benefits, and ramifications.</td>
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<tr>
<td>Week 5</td>
<td>Immigration, militarization, and globalization</td>
<td>Chapter 11 &amp; Conclusion</td>
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<tr>
<td></td>
<td><strong>Focus:</strong> As the final week of class, the various topics discussed during the semester will tie together, placing them within a broader framework. Concluding with recommendations for the future, as we continue the discourse on immigration laws.</td>
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*The syllabus is likely to be amended during the semester at the discretion of the Professor!*

**Note:** Please check Calendar on Blackboard for **due dates**!
Mini-Project Suggestions

1. With fellow students, family members, or friends, discuss the making of immigration laws, historically, within the context of truth and reality. THINK and REFLECT!

2. Find interesting stories in newspapers and magazines pertaining to immigration and related issues and detail a brief report. Explain what you find interesting about the stories, as projected through the lens of the media.

3. Watch a documentary, video, or movie that vividly documents the historical dynamics of American immigration law and write a brief reaction paper.

4. As listen of comments made by people around the country, including your own community, and see how their comments correspond with the actual realities of immigration law and related issues, events, or circumstances.

5. The next time there is an election, carefully compare the platforms of the candidates regarding immigration. How are their positions/ideologies on various issues different and how are they alike? Evaluate their positions based on what you have learned about the significance and dynamics of immigration law.