

The top left corner of the image features a close-up of the American flag, showing the stars and stripes. The rest of the background is a solid blue color.

**break
through**

building human rights culture

www.breakthrough.tv

RESTORE FAIRNESS

bring back due process to the immigration system

SCREENING GUIDE



www.restorefairness.org



Copyright © 2009 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

Email: restorefairness@breakthrough.tv

<http://www.breakthrough.tv>

Written and Compiled **Crissy Spivey**

Research and Contributions **Heidi Boisvert** and **Madhuri Mohindar**

Designer **Keith Leung**

We encourage free use and reproduction of the Screening Guide. When using, please cite Breakthrough as: www.breakthrough.tv.

Breakthrough (www.breakthrough.tv) is an innovative, international human rights organization using the power of popular culture, media, and community education to transform public attitudes and advance equality, justice, and dignity. Through initiatives in India and the United States, Breakthrough addresses critical global issues including violence against women, sexuality and HIV/AIDS, racial justice, and immigrant rights.





INTRODUCTION

The “Restore Fairness” Screening Guide is a powerful tool for mobilizing individuals, groups and organizations to call on the U.S. government to restore due process and fairness to the immigration system.

This Guide will help you watch, discuss and take action.

The Guide contains two sections:

I. “Restore Fairness” Screening Guide

- ★ Pre-Screening Icebreaker
- ★ Post-Screening Guide with an overview of the issues discussed in the “Restore Fairness” video and related discussion questions

II. Tips on hosting a screening

ABOUT “RESTORE FAIRNESS”:

The “Restore Fairness” campaign is calling on the U.S. government to restore due process and fairness to the immigration system. Since the *Declaration of Independence*, America has striven to uphold fairness and due process. But today, a broken immigration system denies basic human rights and due process to people who live here. In the aftermath of 9-11, immigrants have borne the brunt of harsh policies, because the U.S. government is allowing raids and arrests without warrants, holding thousands in inhumane detention conditions, and deporting people without a fair trial.

The campaign site (www.restorefairness.org) provides tools for action to build broad support for fair immigration policies that respect due process. The site includes the powerful documentary, a video channel with additional immigration stories, an action hub, a blog for voicing opinion, tools for contributing and sharing content, along with current online resources on the issue.

The “Restore Fairness” documentary (for use with this screening guide) is produced by Breakthrough in partnership with 26 leading organizations and calls for the U.S. government to bring back due process and fairness to the immigration system. The video features the powerful voices of Congresswomen Zoe Lofgren and Lucille Roybal-Allard, Judges Dana Marks and Bruce Einhorn, as well as civil society leaders like Anthony Romero, Donald Kerwin, Karen Narasaki and Mallika Dutt. It also gives a human face to harsh immigration laws through three very compelling personal stories - Jean Pierre Kamwa, an asylum seeker who faces mandatory detention; June Everett, who lost her sister to immigration detention; and, Walter Chavez and Ana Galindo, legal permanent residents who are victims of a warrantless home raid.

With these tools, we hope to empower and encourage the public to become agents of change in their communities.



SECTION I: “Restore Fairness” Screening Guide

Pre-Screening Ice Breaker: The Opinion Barometer

Objectives

- ★ Spark discussion about due process and fairness within the immigration system.
- ★ Build a context and language for watching the “Restore Fairness” documentary.

Materials

- ★ Two signs posted at opposite ends of screening room.
- ★ One says, “AGREE.” The other says, “DISAGREE.”

Time 30 minutes

Opinion Barometer

Read the directions to the Opinion Barometer activity aloud to the group. This activity works best if facilitated in an open space.

Introduce Opinion Barometer:

In this activity, the Opinion Barometer, there are no right or wrong answers. This is about how you feel concerning different issues regarding our immigration system. On one side of the room is the word “AGREE.” If I read a statement with which you agree completely, you are going to stand against that wall. On the other side of the room is the word “DISAGREE.” If you completely disagree with the statement, you are going to stand against that wall. If you are unsure, stand in the middle of the room.

Do not look at where your friends and classmates are standing. This is about how you feel. Let’s try a practice one: “I love reality television” (OR FILL IN YOUR OWN).” Now position yourself in the screening room to show how you feel about this statement.

Begin the Opinion Barometer:

Read each statement below. Give participants 30 seconds to position themselves and then read another statement.





Statements are:

- ★ “In the United States, we try to protect human rights.”
- ★ “Due process is important in my country.”
- ★ “I know someone who is an immigrant in the United States.”
- ★ “Everyone in the United States has the right to a fair day in court.”
- ★ “People in my community feel protected by the local police.”
- ★ “Due process is only for United States citizens.”
- ★ “Immigrants have a huge impact on my country.”
- ★ “Regardless of how minor the offense, we should detain and deport all immigrants who break laws.”
- ★ “Immigrants shouldn’t get the same medical care as citizens.”
- ★ “I have heard about immigrant detention.”
- ★ “The United States immigration system is fair and just.”

Conclude the Opinion Barometer:

- ★ What were the most challenging decisions in this activity?
- ★ How did you feel about having to show your opinion to the rest of the class?
- ★ What conclusions did you draw about the how the group feels about our current immigration system?

Facilitator should announce:

“With this in mind, we are going to watch ‘Restore Fairness’. This is a documentary that calls on restoring due process and fairness to the immigration system. Reflect on some of your answers from this activity as you watch.”



Post-Screening Guide:

ISSUE #1 - FAIR DAY IN COURT

Personal Story Featured:

June Everett is the sister of Sandra Marina Kenley, who died in an immigrant detention center in December 2005. Sandra Kenley was a legal permanent resident, who had lived in the U.S. for nearly 33 years. After visiting her family in Barbados and returning to the U.S., she was detained and faced deportation by Immigration and Customs Enforcement (I.C.E.) agents citing an old misdemeanor drug charge. When she was in detention, Sandra suffered from numerous medical conditions and had a bleeding fibroid that required surgery. June believes that her sister was denied treatment while in detention, which eventually resulted in her death. On October 4, 2007, June Everett presented her testimony, regarding the death of her sister Sandra Kenley, at a hearing on “Detention and Removal: Immigration Detainee Medical Care” before the members of the House Subcommittee on Immigration, Citizenship, Refugees, Border Security and International Law.

Key Points For Facilitators:

- ★ Sandra’s story may have gone differently, but laws that Congress passed in 1996 eliminated discretion for immigration judges to waive detention and deportation for people convicted of certain offenses. Had a judge been given the ability to waive detention, Sandra may not have been detained at all.
- ★ Judges’ hands are tied and they have to detain and deport immigrants, including legal immigrants, who commit even minor crimes (e.g. fistfights, fishing without a license, etc.) without considering the circumstances of the individual’s case. What this means is that someone like Sandra who has served her time, rebuilt her life, and become a productive citizen, can be detained and deported for a crime that was committed many years ago.

For more information on a fair day in court visit www.restorefairness.org/about/due-process

Discussion Questions for Participants:

- ★ Immigrants currently do not have a fair day in court. What does that say about our government and our values?
- ★ If the judges’ hands weren’t tied, Sandra may never have been placed in detention. Do you feel that Sandra should have been detained? Why?



- ★ What are your thoughts on immigration laws that make detention and deportation mandatory?
- ★ Do you think judges should have the ability to look at the individual circumstances of a person's case before they decide if they should be detained or deported? Why?

After watching the film and having a discussion, we want participants to take action to ensure that the U.S. government restores the ability of judges to consider individual circumstances so everyone receives a fair day in court.

Find additional video stories below on A Fair Day In Court at www.restorefairness.org

Live From Jail

Anselm Ifill: Army Man Ordered Deported

Betsy DeWitt Acquista: Tearing a Family Apart

A Surprise Visit





Issue #2 - DETENTION

Personal Story Featured:

Jean Pierre Kamwa is a social worker, activist and organizer. He was a former prisoner in Cameroon where he was incarcerated for nine months for being a student activist, protesting government repression, and advocating for democracy. He fled to the U.S. seeking asylum in November 1999. But when he arrived, immigration officers strip searched him, shackled him and sent him to Wackenhut Detention Center, where he was held without a hearing for five months in mandatory detention. In April 2000, Jean Pierre was granted asylum and released from detention. He spent the following 14 months in an emergency homeless shelter in Brooklyn, while he struggled to build his life here. His battle against the unjust immigration system continues through his own organization called “Espoir” (hope) which provides information and support for former detainees and asylum seekers.

Key Points for Facilitators:

- ★ Like Jean Pierre, hundreds of thousands of immigrants are detained each year who pose no danger to communities and are not a flight risk.
- ★ There are no legally enforceable standards in detention centers. According to the Washington Post, “some 83 detainees have died in, or soon after, custody during the past five years. Actions taken—or not taken—by medical staff members may have contributed to 30 of those deaths.”
- ★ So far this year (2009), the government has already spent \$1.8 billion to hold an estimated 442,000 detainees in custody at a cost of approximately \$90/day.
- ★ More humane alternatives to detention, such as asking people to report by phone and in person, costs as little as \$12 per day and has proven to be extremely effective with an estimated 91% appearance in immigration courts.

For more information on detention visit www.restorefairness.org/about/due-process

Discussion Questions for Participants:

- ★ What does detaining immigrants say about our government and our values?
- ★ For Jean Pierre, the United States was viewed as a safe place free from persecution. How do you feel about the way he was treated in immigrant detention in the U.S.?



- ★ If many immigrants held in detention pose no danger to the community and are not a flight risk, should they be detained at all?
- ★ The government has not created legally enforceable standards to guarantee safe and humane detention. What kind of standards do you think should be created?
- ★ Detaining immigrants is extremely costly, but there are more humane and cheaper alternatives to detention, like having them report by phone or in person. What do you think of these other options?

After watching the film and having a discussion, we want participants to take action to ensure that the U.S. government creates legally enforceable detention standards and implements cost effective alternatives to detention.

Find additional video stories below on Detention at www.restorefairness.org

Warren Joseph: Military Man Faces Deportation

Ali: An HIV+ Man Suffers in Detention

Sandra Kenley: Death by Detention

Agatha Joseph: Exposing Detention



ISSUE #3 – ENFORCEMENT

Personal Story Featured:

Walter Chavez and Ana Galindo are lawful permanent residents who have lived in the U.S. for approximately 28 years. They have a 9-year-old son who is a U.S. citizen, and they own a home in Paterson, New Jersey. Walter and Ana were the targets of a home raid in April 2008. Immigration and Customs Enforcement (I.C.E.) agents forcibly entered their home, demanding to know where Walter and Ana were “hiding illegal people.” Without producing a warrant or requesting permission to enter their home, armed I.C.E. agents pushed Walter, threatened Ana, and even pointed a gun directly at their child, who now suffers from ongoing fear and nightmares as a result of the unnecessary trauma. When Ana produced her Green Card and New Jersey drivers license, as well as Walter’s Green Card and her son’s U.S. passport, I.C.E. agents determined that Ana was “not the person [they were] looking for.”

Key Points For Facilitators:

- ★ Ana and Walter’s story is one of the many examples of how legal residents and even citizens are being caught in warrantless home and worksite raids.
- ★ Sweeping enforcement practices have created a climate of fear in our communities, with the majority of individuals who are swept up posing no threat to public safety.
- ★ Agreements between federal immigration and local law enforcement agencies, like the “Delegation of Immigration Authority-287(g)” program, which gives local police immigration powers have eroded public trust in law enforcement and have resulted in racial and ethnic profiling as well as the unlawful detention of U.S. citizens and permanent residents.

For more information on enforcement visit www.restorefairness.org/about/due-process

Discussion Questions for Participants:

- ★ What do current immigration enforcement methods say about our government and our values?

RAIDS

- ★ What have you heard about immigration raids?
- ★ How do you feel about Ana and Walter’s story?



- ★ What due process concerns are raised when inaccurate information is used to plan and carry out warrantless raids?
- ★ What are the ramifications of raids on immigrant communities?

AGREEMENTS

- ★ What have you heard about agreements that give state and local police the power to enforce immigration law?
- ★ Do you think local police should be given the power to enforce immigration law?
- ★ How do you think these agreements effect the trust between local police and the communities they serve?
- ★ Do you think these agreements make communities more or less safe? Why?

After watching the film and having a discussion, we want participants to take action that ensures that the U.S. government stops indiscriminate raids and the continued use of local law enforcement to enforce federal immigration law.

Find additional video stories below on Enforcement at www.restorefairness.org

Juana Villegas: A Pregnant Woman Detained



SECTION II: Steps To Hosting A Screening

Know your goals. By hosting a screening, you are giving viewers the knowledge and tools to take action and mobilize others to call on the U.S. government to restore due process and fairness to the immigration system.

Remember the three asks:

WE WANT VIEWERS TO TAKE ACTION TO ENSURE THAT THE U.S. GOVERNMENT RESTORES THE ABILITY OF JUDGES TO CONSIDER INDIVIDUAL CIRCUMSTANCES SO EVERYONE RECEIVES A FAIR DAY IN COURT.

WE WANT VIEWERS TO TAKE ACTION TO ENSURE THAT THE U.S. GOVERNMENT CREATES LEGALLY ENFORCEABLE DETENTION STANDARDS AND IMPLEMENTS COST EFFECTIVE ALTERNATIVES TO DETENTION.

WE WANT VIEWERS TO TAKE ACTION TO ENSURE THAT THE U.S. GOVERNMENT STOPS INDISCRIMINATE RAIDS AND THE CONTINUED USE OF LOCAL LAW ENFORCEMENT TO ENFORCE FEDERAL IMMIGRATION LAW.

BEFORE THE SCREENING

Think of who you want to invite. In getting your group together, make sure you have people who care, are open to learning and want to take action. For example, you could use a site like Meetup (www.meetup.com) that lets you promote widely to find both current activists and newcomers that want to meet, watch the film, discuss and get involved. Here are other ideas:

- ★ Tell family, friends, students from local schools, people from religious communities.
- ★ Reach out to clubs, sports teams and your neighbors.



Find a place. It doesn't matter where you have your screening, it's more important that it's a comfortable gathering of engaged participants. Ask your local library, community center, and/or religious institution to offer up their space for a screening. Here are some quick tips:

- ★ Make sure the location is convenient to public transportation.
- ★ Check to see that the place has the right equipment, like a TV, DVD player and appropriate speakers.
- ★ Choose a place that is familiar to your intended audience. For example, if you have a multi-denomination group who will be attending, they might be alienated if you hold the event at a church. Similarly, if you are drawing from people in your community, make sure to hold the event there.

Get the word out about your screening. You've got something great to share, so make sure it's well attended. Here are some ideas for promotion:

- ★ Print our poster that you can fill in with info like the date and location and then post it at local shops or email it to interested parties.
- ★ Send emails to relevant list-serves with screening information.
- ★ Invite your local media, like newspapers, TV and bloggers. They are looking for news and will be interested in people in their communities who are taking action on important issues.
- ★ Invite local decision-makers such as your Congressperson, Representative, local assembly member et al.
- ★ Twitter your screening using hashtag #restorefairness, so we can keep track of your efforts. (Visit www.restorefairness.org to learn how.)
- ★ Create an event through your Facebook profile to invite friends, and ask your friends to "share" and invite their friends as well. (Visit www.restorefairness.org to learn how.)
- ★ Join our "Restore Fairness" cause page on Facebook and post info on your screening at <http://apps.facebook.com/causes/350148>
- ★ Write a blog post on your blog about the screening or ask bloggers to write a post on your upcoming screening.
- ★ Send an email to restorefairness@breakthrough.tv and we will announce your screening on Breakthrough's blogs.



How are you going to do the above? Use this 10-step timeline:

1. Choose a date and secure a location (1 month before).
2. Make a list of people and groups that might be interested (3 weeks before).
3. Send out invitations/post signs about the event (2 weeks before).
4. Plan your agenda – invite speakers, familiarize yourself with the video, outlined issues and questions (2 weeks before).
5. Re-send invitation (1 week before).
6. Print and photocopy materials for the event (5 days before).
7. Call invitees for confirmation of attendance (4 days before).
8. Go to location and check to make sure that the technology works properly (1 day before).
9. Send Reminder (1 day before)
10. Day of the event, go early and set up!



AFTER THE SCREENING

Lead the discussion. Use the icebreaker and questions listed above within the three issue areas to foster discussion and guide the conversation.

Document the event. It's always a great idea to make sure you have a record of the event. Here are a few suggestions:

- ★ Have a sign up sheet for names, email addresses, and phone numbers.
- ★ Take photos or use a video camera like the FLIP to record the discussion that emerges.
- ★ Tell participants to use the hashtag #restorefairness during the event so they can Twitter their questions and comments. You will be able to track these during and after the event and have them as a record. (Visit www.restorefairness.org to learn how.)
- ★ Share what you've documented from the event at restorefairness@breakthrough.tv. We will be sure to write about it on Breakthrough's blogs.

Give attendees tools to take action after they leave. After your screening, direct them to www.restorefairness.org for immediate ways to:

- ★ Sign on as an ally to the “Restore Fairness” campaign.
- ★ Write to their Congressperson or local representative.
- ★ Write to websites, newspaper editors and bloggers and ask them to cover the 3 campaign asks.
- ★ Have print outs of this screening guide so others can host their own events or house parties.
- ★ Twitter the statement: “I want you to take action at www.restorefairness.org and call on the U.S. gov't to restore due process and fairness to the immigration system #restorefairness.”
- ★ Dedicate their Facebook status to read: “I want you to take action at www.restorefairness.org and call on the U.S. gov't to restore due process and fairness to the immigration system #restorefairness.”

After attendees leave, do a follow up email thanking attendees, while providing a reminder link to the www.restorefairness.org website and the list of above ways they can take action. You want to keep them engaged for the rest of the campaign!