University of Maryland
Department of Criminology and Criminal Justice

418J: Seminar in Immigration and Crime

Spring 2016
CCJS418J
Lecture:
Location: Building III

Instructor
Alan C. Drew
Email: da4617@gmail.com
Phone: 240-863-1950
Office hours: Wednesday by appointment.

REQUIRED TEXT

Immigration Consequences of Criminal Activity
A Guide to Representing Foreign Born Defendants
Author: Mary E. Kramer
Edition: Sixth Ed.
ISBN: 978-1-57370-385-7

As record numbers of non-citizens are being deported from the United States because of criminal convictions, it is increasingly important for immigration attorneys, prosecutors, and judges to understand the immigration consequences of criminal convictions. Indeed the United States Supreme Court recently held that criminal defense attorneys are obligated to advise their non-citizen clients about the immigration consequences of guilty pleas. The goal of this course is to introduce students to the myriad of issues concerning the intersection of immigration law and criminal law and to give students the skills to recognize analyze immigration consequences of criminal convictions. The course will cover both legal doctrine and policy issues concerning immigration detention and enforcement.

This course is designed to introduce students to immigration law and how immigration law is interwoven into the criminal justice system from the time of arrest to the time of conviction. This class will survey in particular the
history of immigration and how it has impacted on the substantive law of immigration and the immigration consequences of criminal activity.

COURSE LEARNING OUTCOMES
Upon completion of this course, students should be able to:

• Demonstrate a basic understanding of the fundamentals of Immigration Law in the United States, including those rooted in the U.S. Constitution, statutory law and case law interpretation;
• Demonstrate a basic understanding of immigration terminology;
• Demonstrate a basic understanding of how immigration law is interwoven into the criminal justice system from the time of arrest to the time of conviction;
• Demonstrate a basic understanding of substantive crimes and criminal procedure and their consequences on subsequent immigration actions;
• Demonstrate a basic understanding of immigration defense and avoiding adverse immigration consequences through effective plea bargaining;
• Demonstrate a basic understanding of immigration consequences after conviction.

Class meetings will include lecture, interactive questions, and discussion. Class lectures will not merely re-cap the reading material, but expand upon it. Regular class attendance is unless previously excused.

Grading:

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<tr>
<th>Score Range</th>
<th>Grade</th>
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<tbody>
<tr>
<td>97-100+</td>
<td>A+</td>
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<tr>
<td>93-96</td>
<td>A</td>
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<td>90-92</td>
<td>A-</td>
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<td>87-89</td>
<td>B+</td>
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<td>83-86</td>
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<td>67-69</td>
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<td>60-62</td>
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Exams and Written Assignments
1. There will be several written assignments which will be considered as mini-exams. All of the written and presentations will constitute 25% of your grade and must be turned in on the designated date given on Elms or in class.

2. There will be a writing assignment which should be ten full pages minimum. Text should be in 12 point font with 1 inch margins. Taking up space with excessive graphs/images/quotes will result in significant point deductions. Do not cite Wikipedia or any other website that is not scholarly, unless for approved purposes. Consult the instructor and/or the writing center if you have any questions. This written assignment will count 30% of your grade.

3. Your class participation will constitute 25% of your grade.

4. Your participation in group Assignments will constitute 20% of your grade.

**Makeup Exam Policy I Excused Absences**

Makeup exams are only given in cases of excused absences. Official documentation is required. Excused absences are: illness with a doctor's note; death in the immediate family; required University activities; and required court appearances.

For Major Scheduled Graded events (as labeled), I cannot accept a Health Center honor statement to verify an illness. If you go to the Heath Center and a doctor will not write you a note, you will need to get a copy of your medical record from them to verify your illness. By law, you are entitled to get a copy of this and it is your responsibility to do so. I must be notified in person, e-mail, in writing, or by phone PRIOR to missing an exam for me to consider giving you a makeup. If you have a problem on the day of an exam, call or email me. If you know in advance that you will be absent for an exam with an approved absence, you will be expected to take the exam prior to the exam date.

Late assignments without an excused absence will lose one letter grade per day. Students will have one week to provide official documentation for an excused absence.

**Missed Lectures**

I do not hand out lecture notes. The student must solicit peers for lecture notes when they are unable to make it to class. Also, please note that under University policy I do not grade based on attendance.
Grade Disputes
If you have questions or concerns about your grade(s) and believe that I should review them, you must submit a written request over email. This request must be submitted within one week of the day that grades for the relevant assignment are posted.

Elms
Elms is a critical component to this class. All grades will be posted on Elms and Canvas. In addition, some required readings will be posted on Elms. It is expected that students bring copies of these readings to class. Go to
http://elms.umd.edu and log in with your directory ID and password to use this feature.

COURSE COMMUNICATION

Changes to the course schedule, reading assignments, and other important information will be announced during class and sent to the e-mail registered to your UMD account. Be sure to check your email account regularly for updated information.

If you have any questions or concerns about the course, please email me and we can set up an appointment to discuss.

Technology

It is understood that personal computers are worthwhile. Students are allowed to use their personal computer, IPad, and other similar devices to take class notes. But if it is discovered that personal technology devices are being used in any way that is not directly related to class, the student will lose the privilege of using any personal technology for the duration of the semester. To be specific, Students are prohibited from texting and sending emails during class.

Disability Support

I will make every effort to accommodate students who are registered with the Disability Support Services (DSS) Office and who provide me with a University of Maryland DSS Accommodation form, which has been updated for the Spring 2018 semester. This form must be presented to me no later than January 24, 2018. I am not able to accommodate students who are not registered with DSS or who do not provide me with documentation that has not been reviewed by DSS after January, 2016. DSS students who are requesting to take their exams at the DSS center need to provide me with a testing form for each exam that must be turned in no later than one (1) week prior to each exam. The student is expected to take the exam at the same time as the rest of the class.

Religious Observance

If you are unable to take any exam due to a religious observance, you will need to discuss this with me by January 24, 2018.
**Academic Integrity**

Academic dishonesty in any form will not be tolerated. Academic dishonesty encompasses the traditional behaviors such as cheating on exams and quizzes, providing false statements, falsification of records or data, unauthorized reuse of work (including resubmitting work written for another class, misrepresentation in bibliography and footnotes, dishonest use of computer facilities, etc).

Students will be asked to write the University approved Honor Pledge on each assignment. The University of Maryland, College Park has a nationally Recognized Code of Academic Integrity, administered by the Student Honor Council. This Code sets standards for academic integrity at Maryland for all undergraduate
graduate students. As a student you are responsible for upholding these standards for this course. It is very important for you to be aware of the consequences of cheating, fabrication, facilitation, and plagiarism. For more information on the Code of Academic Integrity or the Student Honor Council, please visit: Iwhatis.html

Class Conduct
The success of this class is dependent not only on my abilities as an instructor to communicate new and complicated ideas, but also on our ability as a class to work together to create an environment conducive to learning. As a Department and University, we expect the faculty and students to be prepared for class and to be actively engaged in the classroom activities. Unfortunately, disruptive behaviors in the classroom cheat other students out of opportunities to learn.

The University of Maryland's Code of Academic Integrity defines classroom disruption as "behavior a reasonable person would view as substantially or repeatedly interfering with the conduct of a class." Examples would include coming late to class, repeatedly leaving and entering the classroom without authorization, making loud or distracting noises, and persisting in speaking without being recognized. As the instructor of this class, I also find the following distracting: reading outside material while in class, sleeping, side conversations, text messaging and using laptops for non-academic functions (e.g., Facebook, IM, e-mail, surfing, etc.). I also request that you turn cell phones/pagers on vibrate or silent during class.

Students are expected to treat each other with respect. Disruptive behavior of any kind will not be tolerated. Students who are unable to show civility with one another, the teaching assistants, or me will be subject to referral to the Office of Student Conduct or to Campus Police. You are expected to adhere to the Code of Student Conduct.

Copyright:
The lectures I deliver in this class and the course materials I create and distribute are protected by federal copyright law as my original works. My lectures are recorded or delivered from written lectures in order to ensure copyright protection. You are permitted to take notes of my lectures and to use course materials for your use in this course. You may not record, reproduce, or
distribute my lectures/notes for any commercial purpose without my written consent. Persons who sell or distribute copies or modified copies of my course materials, possess commercial copies of my notes (i.e., Terpnotes), or assist another person or entity in selling or distributing those materials may be considered in violation of the University Code of Student Conduct, Part 9(k).

Course Evaluation:
Your feedback about this course is very important to me and is a responsibility you hold as a student member of our academic community. Your feedback is confidential and important to the improvement of teaching and learning at the University. Therefore, we will do several forms of evaluation throughout semester. One way is to fill out the online evaluation at the end of the semester. Students can go directly to the website (www.courseevalum.umd.edu) to complete their evaluations. Students who complete evaluations for all of their courses in the previous semester (excluding summer), can access the posted results via Testudo's CourseEvalUM Reporting link for any course on campus that has at least a 70% response rate.
Course **Outline**
Below is a schedule of lecture and discussion topics, readings, and assignments. Class readings are to be completed before the date on the schedule. If a topic/reading spans more than one class period, complete the reading prior to the first class period it is addressed. This schedule is tentative and subject to change.
SCHEDULE OF ASSIGNMENTS
Subject to change by Professor

Date/Topic
Readings/Assignments

Reading Assignments
* Please understand that the dates below are for guidance only. The dates of particular topics may vary depending on material covered in each class. I shall advise you of variances from the dates, as necessary.*

1/27: Review of Syllabus, class policies and procedures; Introduction to Immigration Law History

2/3: Chapter One: The Administration and Development of Immigration Law and Immigrants’ Rights under the Constitution (p.1 - 23)

2/10: Chapter Two: Inadmissibility, Deportability, Waivers, and Relief from Removal (p. 27-46)

2/17: Cont’d—Chapter Two: Inadmissibility, Deportability, Waivers, and Relief from Removal (p. 48-60)

2/24: Cont’d—Chapter Two: Inadmissibility, Deportability, Waivers, and Relief from Removal (p. 63-80)

3/9: Chapter Three: Protection from Harm (p. 87-101) and Review for Midterm

3/16: MIDTERM PAPER DUE

3/19-3/26: SPRING BREAK

3/23: Crimes, Criminal Procedure, Constitutional Law

3/30: Cont’d— Crimes, Criminal Procedure, and Constitutional Law

4/6: Immigration Defense
4/13: Cont’d—Immigration Defense

4/20: Plea Bargaining and Immigration Consequences after Conviction

4/27: Cont’d—Plea Bargaining and Immigration Consequences after Conviction

5/4: Final papers due and class presentations

5/11: Class presentations