

The University of Denver Sturm College of Law and DULCCES present:

Crimmigration Law & Policy Workshop: Immigration Detainers

Saturday, March 29, 2014

9:15 a.m.-6:30 p.m.

University of Denver

Fritz Knoebel School of Hospitality Management

2044 East Evans Avenue, Room 229

Denver, CO 80208

9:15 a.m.-10:00 a.m.

Registration & Breakfast

10:00 a.m. - 10:15 a.m.

Welcome from Dean Martin Katz

Martin Katz became Dean of the University of Denver Sturm College of Law in 2010, serving the prior year as Interim Dean. Dean Katz joined the Denver Law faculty in 2000, after practicing with Davis, Graham & Stubbs LLP. He writes and teaches in the area of antidiscrimination law. He also serves on the Executive Committee of Educating Tomorrow's Lawyers, and he is recognized as a leader in the movement to reform legal education by providing students with more opportunities for experiential learning and development of professional identity in order to graduate more practice-ready lawyers. Dean Katz is a graduate of Harvard University and earned his JD at Yale Law School.

10:15 a.m. - 11:20 a.m.

Panel I - Crimmigration and the Evolving Immigration Enforcement Landscape

The Supreme Court has recognized an increased intertwining of the criminal and immigration enforcement systems. The harnessing of the criminal justice system by the immigration justice system—"crimmigration"—has been a key feature propelling a ten-fold jump in deportations over the last three decades. This panel will describe the rise of the crimmigration enforcement system and explain the importance of immigration detainers in creating this pipeline from state and local criminal justice systems to the immigration system.

Moderator: Lisa Graybill, University of Denver Sturm College of Law

Panelists: César Cuauhtémoc García Hernández, University of Denver Sturm College of Law
Christopher N. Lasch, University of Denver Sturm College of Law

Lisa Graybill is a Lecturer in the Legal Externships Program at the University of Denver Sturm College of Law. Previously, Graybill served as the legal director of the American Civil Liberties Union (ACLU) of Texas from 2005-2012. Before joining the ACLU, Graybill clerked for a federal judge in New Jersey, then joined the Special Litigation Section of the U.S. Department of Justice (DOJ) Civil Rights Division through the Attorney General's Honors Program. As a trial attorney at the DOJ, Graybill worked on matters involving police misconduct and prison and jail conditions. She graduated from Smith College with highest honors in 1991 and received her law degree from the University of Texas with honors in 1999.

César Cuauhtémoc García Hernández is a Visiting Professor at the University of Denver Sturm College of Law and an Associate Professor at Capital University Law School in Columbus, Ohio. He publishes crlmmigration.com, a blog about the convergence of criminal and immigration law that has been featured on SCOTUSblog and was named one of the best law blogs of 2012 by the ABA Journal. His academic interests also center on crlmmigration, including teaching a seminar on the topic and having published articles about the right to counsel for immigrants in the criminal justice system, immigration imprisonment, and race-based immigration policing. In addition to teaching a crlmmigration seminar, Hernández teaches Immigration Law, and Torts.

Professor Christopher Lasch has been litigating to protect his clients' constitutional rights since 1996. After graduating from Yale Law School, Lasch worked for three years as a public defender in Louisville, Kentucky. In 2000, Chris partnered with another former defender to form a small private law firm dedicated to criminal defense and civil rights litigation. In 2006, Lasch became a Robert M. Cover Clinical Teaching Fellow at the Yale Law School, where he taught in numerous clinics, including the Capital Punishment Clinic, Criminal Defense Project, and the Worker and Immigrant Rights Advocacy Clinic. After serving as a Visiting Assistant Clinical Professor at the Suffolk University Law School during the 2009-10 academic year, he came to the Sturm College of Law to teach in the Criminal Defense Clinic. His scholarship focuses on the availability of constitutional remedies in federal habeas and state postconviction litigation, and on the intersection of criminal and immigration law.

11:20 a.m. - 12:25 p.m.

Panel II – The Impact of Crimmigration on Colorado Families and Communities

Proponents of crimmigration describe it as a “force multiplier,” in which local criminal justice systems assist an overburdened, under-resourced federal immigration enforcement regime. Opponents say it encourages racial profiling, diverts local resources from crime control, and makes communities less safe by discouraging immigrants from reporting crimes or cooperating with police. This panel addresses the impact of crimmigration on Colorado families and communities.

Moderator: Lisa Durán, Right for All People

Panelists: Debora Ortega, University of Denver School of Social Work
Lisa Martinez, University of Denver Department of Sociology and Criminology

Lisa Durán has served since 2003 as the founding Executive Director for Rights for All People (RAP), an organizing project that brings the voices of immigrants to the struggle for justice for all Coloradans. She also led the establishment and development of the Aurora Human Rights Center, a collaborative space founded in October of 2010 with the participation of RAP, El Centro Humanitario, the Somali Community Center, the Lowry Family Center and the Strengthening Neighborhoods program of the Denver Foundation. Additionally, Durán serves as a faculty coach for the Center for Progressive Leadership's Colorado program, represents RAP nationally at National People's Action and is co-founder of the Colorado Immigrant Rights Coalition. A veteran of 30+ years of local and national movement-building work, Durán first started organizing with the Labor/Community Strategy Center in the late 1980's in Los Angeles. She has a master's degree in political science from the University of California at Riverside.

Debora Ortega serves as Director of the University of Denver Latino Center for Community Engagement and Scholarship, an interdisciplinary group of faculty members who engage in scholarship, research and service for the benefit of the Latino community. She is also an Associate Professor, conducting research and teaching multicultural social work courses at the University of Denver Graduate School of Social Work. Ortega has authored and co-authored numerous journals articles, book chapters and grant reports, and she has given presentations at state, regional, national and international conferences. Her many grant-funded projects include private provider training, programs to assist youth transitioning from foster care, evaluation of a juvenile mediation project and a three-year effort to develop models of effective child welfare with Hispanic families. Ortega received the 2007-08 Outstanding Faculty Award from the University's Center for Multicultural Excellence. In Denver, she serves on the Mayor's Commission on Early Childhood Education.

Lisa Martinez is an Associate Professor and Core faculty member of the University of Denver Latino Center for Community Engagement and Scholarship (DULCCES), an interdisciplinary program dedicated to conducting research on Latina/o communities in Denver and the Rocky Mountain West. She studies the impact of immigration policies on the social, economic, and political well-being of Latina/o communities as well as educational, health-related, and job market outcomes among Latinas/os and immigrants. Professor Martinez is currently working on an interdisciplinary project with her DULCCES colleagues on the pathways to mobility among Latino and immigrant youth. Her course offerings at the University of Denver include Social Inequality, Immigrant America, Political Sociology, Latinas/os in American Society, Race and Politics, Quantitative Methods, and Gender in Society

12:25 p.m.-1:45 p.m.

Lunch (no program)

1:45 p.m.-3:20 p.m.

Panel III – Detainer Polices: Lessons Learned From Other Jurisdictions

Crimmigration has produced record numbers of deportations in the last three years. Yet in this same period, some state and local governments have started a wave of resistance by refusing to enforce federal immigration detainers. This panel brings together speakers from around the country who have been involved in creating state and local immigration detainer policies, to address the reasons underlying this movement and the mechanisms by which policies have come about.

Moderator: Hans Meyer, The Meyer Law Firm

Panelists: Chris Newman, National Day Laborer Organizing Network
Paromita Shah, National Immigration Project of the National Lawyers Guild
Angie Junck, Immigrant Legal Resource Center

Hans Meyer runs the Meyer Law Office, P.C., which focuses on immigration law and removal defense, criminal defense and postconviction relief, and the immigration consequences of crimes. Meyer is a former trial attorney of four years with the Colorado State Public Defender, where he developed a statewide immigration advisement system. He also as served the former Public Policy Director for the Colorado Immigrant Rights Coalition, where he focused on policies and legislation related to immigration enforcement and the criminal justice system. Meyer grew up in Aurora, Colorado, and is a 2006 graduate of the University of Denver Sturm College of Law. He is an active member of the ACLU, AILA, the National Immigration Project, the NLG, and the Colorado Criminal Defense Bar.

Chris Newman is the Legal Programs Director for the National Day Laborer Organizing Network (NDLON) in Los Angeles, California where he has worked since 2004. Through Newman's leadership as a legal strategist, policy advisor and advisor to workers' centers across the United States, NDLON has led a multi-pronged strategy of strategic campaign support, policy advocacy, defense of direct actions, and litigation on behalf of day laborers in Arizona and Across the U.S. Prior to joining NDLON, and while he was a student at the Sturm College of Law, Newman founded and directed the legal programs department of El Centro Humanitario para los Trabajadores, the first day laborer organization of its kind in Denver, Colorado. At El Centro Humanitario, he led the advocacy efforts to advance the rights of immigrant workers' in the region. Newman is a 1999 graduate of the University of Illinois at Chicago and a 2004 graduate of the University of Denver Sturm College of Law.

Paromita Shah has served as Associate Director of the National Immigration Project of the National Lawyers Guild since 2005, specializing in immigration detention and enforcement. Shah is a contributing author and co-presenter of the "Deportation 101" curriculum, participates in regular advocacy efforts with ICE officials, and has created an abundance of resources for communities affected by heightened immigration enforcement efforts. She previously served as Director of Capital Area Immigrants' Rights (CAIR) Coalition in Washington, DC, where she conducted presentations in regional county jails, trained attorneys, assessed detainee claims for relief, and conducted liaison meetings with DHS and DOJ. Shah has also worked as a staff attorney at Greater Boston Legal Services.

Angie Junck joined the Immigrant Legal Resource Center (ILRC) in 2005 as a New Voices Fellow and became a Staff Attorney in 2007. Junck works on the relationship between immigration and criminal law and is a co-author of ILRC's publication, *Defending Immigrants in the Ninth Circuit: The Impact of Crimes under California and Other State Laws*. Her efforts to mitigate the difficult immigration consequences for criminal convictions of immigrants is at the core of the ILRC's Defending Immigrants Project to assist public defenders and the Immigrant Justice Network, a project to build a movement to shift public perception of immigrants in the criminal justice system. Junck is a co-chair of the Detention Watch Network's Public Awareness Committee and is on the Advisory Board of the California Coalition for Women Prisoners. Prior to joining the ILRC, she worked on post-conviction relief for immigrants at the Law Offices of Norton Tooby and advocated on behalf of incarcerated survivors of domestic violence as the co-coordinator of Free Battered Women and a member of the Habeas Project.

3:20 p.m.-3:35 p.m.

Afternoon Break

3:35 p.m.-5:10 p.m.

Panel IV – Litigation and Detainer Policies

Immigration detainers have sparked litigation based on constitutional and administrative law theories. This panel brings together lead counsel on the most important detainer litigation from around the country, to discuss the law surrounding the use of immigration detainers.

Moderator: Christopher N. Lasch, University of Denver Sturm College of Law

Panelists: Kate Desormeau, ACLU Immigrants' Rights Project
Michael J. Wishnie, Yale Law School
Mark Fleming, Heartland Alliance's National Immigrant Justice Center

Kate Desormeau is a Staff Attorney at the ACLU Immigrants' Rights Project, where she has worked since 2010. Desormeau's work focuses on federal immigration enforcement programs, local and state immigration enforcement issues, and national security. Her detainer cases have included *Galarza v. Szalczyk* (3d Cir.) and *Morales v. Chadbourne* (D. R.I.). Prior to joining the ACLU, Desormeau worked as a researcher at Harvard University's Carr Center for Human Rights Policy, as a Social Justice Fellow in the Santa Clara County Counsel's Office in California, and as a law clerk for the Hon. Marsha Berzon of the Ninth Circuit Court of Appeals. She holds a J.D. from Yale Law School and a Master's Degree in Refugee Studies from Oxford University.

Michael J. Wishnie is Deputy Dean for Experiential Education, the William O. Douglas Clinical Professor of Law, and Director of the Jerome N. Frank Legal Services Organization at Yale Law School. Professor Wishnie's teaching, scholarship, and law practice have focused on immigration, labor and employment, habeas corpus, civil rights, government transparency, and veterans law. For years, Professor Wishnie and his students have represented low-wage workers, immigrants, and veterans in federal, state, and administrative litigation. He and his students have also represented unions, churches, veterans' groups, and grassroots organizations in a range of legislative, media, and community education matters. Before earning his J.D. from Yale Law School in 1993, Professor Wishnie spent two years teaching in the People's Republic of China. He is also a Non-Resident Fellow of the Migration Policy Institute and frequently handles litigation matters as a cooperating attorney for the American Civil Liberties Union.

Mark Fleming is a litigator at Heartland Alliance's National Immigrant Justice Center (NIJC) located in Chicago, Illinois. Fleming focuses on litigation and public policy related to immigration enforcement and detention. He is currently litigating the detainer class action *Jimenez Moreno v. Napolitano*, Case No. 11-cv-5452 (N.D. Ill.), which challenges the lawfulness ICE's use of detainers on Fourth and Tenth Amendment grounds, as well as in excess of the agency's statutory arrest authority. Fleming was instrumental in the drafting and passage of the Cook County, Illinois and Chicago detainer ordinances and is part of a coalition advocating for passage of the Illinois TRUST Act.

5:10 p.m.-6:30 p.m.
Closing Reception