



# Welcome to Street Law!



Spring 2023

## Free Write:

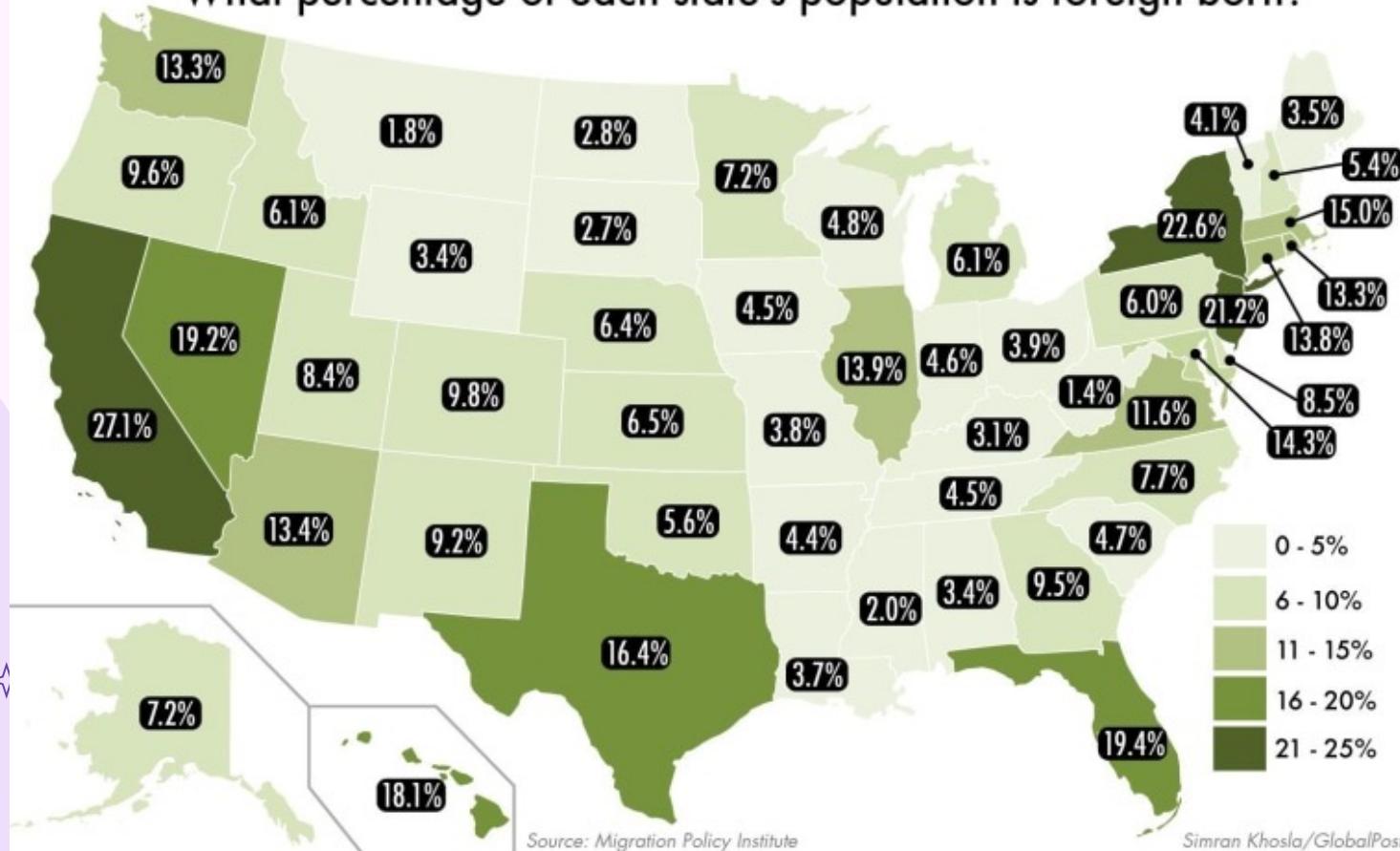
Are all laws fair? Why, or why not?



# Immigration Law



## What percentage of each state's population is foreign born?



<https://www.youtube.com/watch?v=aPi3tMmHXlc>



SUBSCRIBE

Undocumented Americans: Inside The Immigration Debate | TIME

# Pop Quiz!

**Do the Constitutional  
Amendments protect non-  
citizen immigrants?**



Answer:

Yes. You do not need to be a citizen to have the constitutional rights and liberties we are discussing today.

EXCEPTION: at “border zones,” federal officials can conduct routine searches without probable cause.

# Citizens vs. Non-Citizens

There are three classes of **non-citizens** in the United States:

- (1) **Lawful Permanent Resident:** a person living in the United States with permission from the U.S government and with a "green card". A LPR may live in the United States indefinitely and may become citizens through **naturalization**.
- (2) **Undocumented migrants:** "Illegal" or "unauthorized" immigrants enter the US without official permission.
- (3) **Non-immigrants:** Tourists, university students, temporary workers, etc. who enter the US for a specific amount of time.

# Case Example: Tanjiro

Tanjiro is 22 years old, and was born and raised in Tokyo, Japan. He studies at the University of Tokyo, but wants to do a study abroad semester in New York. He applies for a student visa and is approved to stay in New York until December. However, he loves New York bagels so much, he stays until March. What is his status?

- (A) Citizen
- (B) Lawful permanent resident
- (C) Undocumented immigrant
- (D) Non-immigrant



# Case Example: Lisa

Lisa was born in Toronto, Canada to Canadian parents. When she was 30 years old, she fell in love with an American citizen who was working in Canada. They got married and applied for a green card so Lisa could move with her husband to the US. After they were approved, they moved to Los Angeles. What is her status?

- (A) Citizen
- (B) Lawful permanent resident
- (C) Undocumented immigrant
- (D) Non-immigrant



# Case Example: Isabella

Isabella was born in California to US citizen parents. However, one week after she was born, her parents moved their family to their hometown of Guadalajara, Mexico. She is now 18 years old, and wants to move to the US for college. What will her status be?

- (A) Citizen
- (B) Lawful permanent resident
- (C) Undocumented immigrant
- (D) Non-immigrant



# Rights of Undocumented Immigrants

- (1) Get a driver's license (AB 60)
- (2) Bill of Rights (example: 4<sup>th</sup>, 5<sup>th</sup>, and 6<sup>th</sup> Amendments)
- (3) Go to public school
- (4) Apply to/attend most colleges (and receive private scholarships)
- (5) File lawsuits in federal court (example: lost wages or discrimination)
- (6) Organize or join labor unions
- (7) Receive health insurance through Medi-Cal (under 26; over 50; recently or currently pregnant)



# CA DREAM Act

The California DREAM (Development, Relief, and Education for Alien Minors) Act is a package of California state **laws that allow children who were brought into the US under the age of 16 without proper visas/immigration documentation** who have attended school on a regular basis and otherwise meet in-state tuition and GPA requirements to apply for **student financial aid benefits.**



# Non-Rights of Undocumented Immigrants

- (1) Can NOT vote
- (2) Can NOT commit a crime without **significant** risk of deportation
- (3) Can NOT travel outside of the US, or in "border zones" without **significant** risk of deportation
- (4) Can NOT receive federal financial aid or scholarships
- (5) Can NOT receive Cal-Fresh or EBT
- (6) Can NOT receive Social Security benefits
- (7) Can NOT apply to/attend some colleges



# How do You Become a Citizen/Resident?

- (1) Be born on U.S. soil **OR**
- (2) Apply outside the U.S.
- (3) Become Naturalized
  - Marrying U.S. Citizen/Resident
  - Born outside U.S., but one parent is US Citizen
  - Become Resident and apply for citizenship
  - Have a U.S. Citizen family member apply for you
  - Be a political refugee



https://egov.uscis.gov/processing-times/

## Check Case Processing Times

Select your form, form category, and the office that is processing your case

Refer to your receipt notice to find your form, category, and office. For more information about case processing times and reading your receipt notice, visit the [More Information About Case Processing Times](#) page.

**Form \***

I-130 | Petition for Alien Relative

**Form Category \***

U.S. citizen filing for a married son or daughter

**Field Office or Service Center \***

California Service Center

**Get processing time**

Processing time for Petition for Alien Relative (I-130) at California Service Center

80% of cases are completed within

**117**  
Months

## Check Case Processing Times

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**Form \***

I-130 | Petition for Alien Relative

**Form Category \***

U.S. citizen filing for a brother or sister

**Field Office or Service Center \***

California Service Center

**Get processing time**

Processing time for Petition for Alien Relative (I-130) at California Service Center

80% of cases are completed within

**140.5**  
Months

# What is Deportation?

Deportation, or removal, is the **process of removing a person from the United States**. Generally, when a person is deported, they **are no longer allowed to live, work or visit the United States**.



# When Can a Non-Citizen Be Deported?

- (1) For entering the U.S. without legal permission **OR**
- (2) For overstaying visa or work permit
- (3) Committing **certain** crimes (whether in the country legally or not)

Aggravated Felonies	Drug Crimes
Firearm Crimes	Domestic Violence
Security Related Crimes	“Crimes of Moral Turpitude”
Marriage Fraud	“Smuggling”



# The Faces of Deportation

<https://www.youtube.com/watch?v=E2o4gPSRqMU>



# Are all laws fair? Why, or why not?



# What Should a Non-Citizen Do If They Are in Legal Trouble?

- (1) **Talk to an attorney immediately**, and be honest about your status/
- (2) Pleading guilty to certain crimes will make you deportable.
- (3) **Do not apply for your own citizenship** until you have talked to an immigration attorney.
- (4) **Do not leave the U.S** until you talk to an immigration attorney.



# *Winning Group.... (4/10)*

