

# RESTORE FAIRNESS

bring back due process to the immigration system

## Restore Fairness

Launch Date: September 14, 2009

Platform: Online Website & Video

Publisher: Breakthrough

Available at [www.restorefairness.org](http://www.restorefairness.org)

### DESCRIPTION:

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The *Restore Fairness* video ([www.restorefairness.org](http://www.restorefairness.org)) produced by Breakthrough in association with twenty-two leading organizations and four advisors asks the U.S. government to bring back due process to the immigration system. In the aftermath of 9-11, immigrants have borne the brunt of harsh policies with the U.S. government allowing raids and arrests without warrants, denying phone calls to lawyers, holding thousands in inhumane detention conditions, and deporting people without a fair trial.

The video features interviews with Congresswomen Zoe Lofgren and Lucille Roybal-Allard, Judges Dana Marks and Bruce Einhorn, and civil society leaders Anthony Romero, Donald Kerwin, Karen Narasaki and Mallika Dutt as well as three very compelling personal stories with Jean-Pierre Kamwa, an asylum seeker from Cameroon, June Everett who lost her sister to immigration detention, and Walter Chavez and Ana Galindo, legal permanent residents who were victims of a warrantless home raid.

### KEY ASKS:

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The Restore Fairness campaign is calling on Congress to:

1. Restore the ability of judges to consider individual circumstances, so everyone receives a fair day in court.
2. Create legally enforceable detention standards and implement cost effective alternatives to detention.
3. Stop indiscriminate raids and the continued use of local law enforcement to enforce federal immigration law.

### PERSONAL TESTIMONIES BY:

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#### June Everett

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. Following a visit to family in Barbados, she was detained upon her return to the U.S. by Immigration and Customs Enforcement (I.C.E.) agents citing an old misdemeanor drug charge. At the time of her detention, Sandra suffered from numerous medical conditions, including high blood pressure and high cholesterol for which she was medicated, and a bleeding

fibroid that required surgery. Due to these conditions, Sandra repeatedly requested medical attention and medication while in detention. Her sister June believes that she 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.

### **Jean Pierre Kamwa**

Jean Pierre Kamwa is a social worker, activist and organizer. He is also 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. Instead immigration officers strip searched him, shackled him and sent him to Wackenhut Detention Center, where he was held without 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. His battle against the unjust immigration system continues through his own organization Espoir (which means hope) which provides information and support for former detainees and asylum seekers ([espoir.inc@lycos.com](mailto:espoir.inc@lycos.com)).

### **Ana Galindo and Walter Chavez**

Walter Chavez and Ana Galindo are lawful permanent residents who have lived in the U.S. for approximately 28 years. They have a nine-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."

## **BIOS OF IMMIGRATION EXPERTS:**

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### **Congresswoman Zoe Lofgren**

Congresswoman Zoe Lofgren represents the 16th Congressional District of California, and serves as the chair of the California Democratic Congressional Delegation. She also serves on the Committee on the Judiciary as chair of the Subcommittee on Immigration, Citizenship, Refugees, Border Security and International Law. She serves on the Committee on Homeland Security, the Subcommittee on Border, Maritime and Global Counterterrorism, and the Subcommittee on Administrative Law, and is the chair of the Committee on Standards of Official Conduct (Ethics). Prior to her election to Congress, she practiced immigration law as a partner in the firm of Webber & Lofgren and taught immigration law at the University of Santa Clara School of Law. She is a graduate of Stanford University and University of Santa Clara School of Law.

### **Congresswoman Lucille Roybal-Allard**

Congresswoman Roybal-Allard represents the 34th Congressional District of California. She is the first Mexican-American woman elected to Congress, and the first Latina to be appointed to the House Appropriations Committee. Previously, she represented the 56th Assembly District of California for six years, and served as chair of the California Democratic Congressional

Delegation in 1997 and 1998. During the 106th Congress, she became the first female Chair of the Congressional Hispanic Caucus. She serves on the Subcommittee on Homeland Security, the Subcommittee on Transportation, Housing and Urban Development, and Related Agencies and the Subcommittee on Labor, Health and Human Services, and Education. As a member of these subcommittees, Congresswoman Roybal-Allard oversees funding of the U.S. Department of Homeland Security, U.S. Citizenship and Immigration Services, the U.S. Department of Labor, the U.S. Department of Health and Human Services, the U.S. Department of Education, the U.S. Department of Transportation and the U.S. Department of Housing and Urban Development.

### **Judge Dana Leigh Marks**

Judge Dana Leigh Marks is the president of the National Association of Immigration Judges, the recognized collective bargaining representative of all U.S. immigration judges. She has been an immigration judge serving in San Francisco since 1987.

### **Judge Bruce Einhorn, retd. (1990-2007)**

Judge Bruce Einhorn served as a Federal Immigration Judge for 17 years before retiring in 2007. Prior to his service on the court, he served as a special prosecutor and as Chief of Litigation for the U.S. Department of Justice's Office of Special Investigations (OSI), where he conducted trial depositions and treaty negotiations in foreign countries and participated in appellate arguments in the U.S. Supreme and Federal Circuit Courts. Judge Einhorn is also a longtime civil rights activist and Anti-Defamation League leader. He taught courses such as War Crimes and Human Rights, and received the David McKibben Excellence in Teaching Award at Pepperdine University School of Law. He currently serves as director of the law school's asylum clinic. He is a graduate of Columbia University and New York University School of Law, Phi Beta Kappa.

### **Donald Kerwin**

Donald Kerwin is Vice President for Programs at the Migration Policy Institute (MPI), an independent, non-partisan, non-profit think tank in Washington, DC dedicated to analysis of the movement of people worldwide. Prior to joining MPI, he served as the executive director of the Catholic Legal Immigration Network, Inc. (CLINIC), a public interest legal corporation that supports a national network of 173 charitable legal programs for immigrants in more than 270 locations. He is an advisor to the American Bar Association's Commission on Immigration and a member of the Council on Foreign Relations' Immigration Task Force. He is also on the board of directors of Jesuit Refugee Services-USA, and an associate fellow at the Woodstock Theological Center. He is a graduate of Georgetown University and the University of Michigan Law School.

### **Anthony D. Romero**

Anthony D. Romero is the Executive Director of the American Civil Liberties Union (ACLU), a national organization defending and advocating individual rights. He is the first Latino and openly gay man to serve in that capacity. Under his leadership, the ACLU gained court victories on the Patriot Act, filed landmark litigation on the torture and abuse of detainees in U.S. custody, and filed the first successful legal challenge to the Bush administration's illegal NSA spying program. Additionally, the ACLU expanded its nationwide litigation, lobbying and public education efforts, including new initiatives focused on racial justice, religious freedom, privacy, reproductive freedom and lesbian and gay rights. In 2007, he and co-author Dina Temple-Raston published "In Defense of Our America: The Fight for Civil Liberties in the Age of Terror", which takes a critical look at civil liberties in the U.S. at a time when constitutional freedoms are in peril. He is a graduate of Stanford University Law School and Princeton University's Woodrow

Wilson School of Public Policy and International Affairs.

**Karen K. Narasaki**

Karen K. Narasaki is the President and Executive Director of the Asian American Justice Center (AAJC), one of the nation's leading voices advocating for the rights and interests of Asian Americans and a proven expert on issues of direct importance to Asian Americans of all ethnic groups in communities across the country. She serves as vice chair of the Leadership Conference on Civil Rights, and chairs the Rights Working Group. She also serves on the board of the Lawyers Committee for Civil Rights Under Law and serves on the National Commission on Adult Literacy, a project of the Council for Advancement of Adult Literacy. She is also a member of the Asian Pacific American Advisory Council. She is a graduate, magna cum laude, Yale University and Order of the Coif, UCLA School of Law.

**Mallika Dutt**

Mallika Dutt is the Founder and Executive Director of Breakthrough, an international human rights organization. Prior to founding Breakthrough, Mallika was the Program Officer for the Human Rights and Social Justice Program at the Ford Foundation's New Delhi office, and also served as the Associate Director of the Center for Women's Global Leadership at Rutgers University. Previously Mallika was the Director of the Norman Foundation and an associate at Debevoise & Plimpton in New York City. She is a founder of Sakhi for South Asian Women and has served on several boards and committees, including the Human Rights Watch Women's Rights Project and Asia Watch, Lt. Governor Committee on Public Police Relations, and the U.S. NGO Coordinating Committee for the United Nations World Conference Against Racism. She is currently on the Board of WITNESS. She is a graduate of Mount Holyoke College, Columbia University, and New York University School of Law.

**BIOS OF CREW:**

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**Madhuri Mohindar, Producer and Editor**

Madhuri Mohindar is a documentary filmmaker, media producer and journalist. She has worked on a number of documentary films featuring diverse subjects, including immigrant experiences, civil liberties, gay rights, and the impact of globalization on Bollywood dancers. Her first public film, 'Red Roses', is a sociological portrait of South Asian women in a beauty parlor in New York, and has played at a number of international film festivals, including New York's South Asian International Film Festival, San Francisco Docfest and Globians Documentary Festival in Germany. It has also received substantial press coverage including "CNN-IBN" and "India Today." She has published numerous articles in Inter Press Service, a global news service dedicated to covering developing news features and has worked as an Archiving, Research and Publications Officer at Osian's, an Auction House, Film House and Archiving Centre of Indian fine arts, cinema and architecture. Her desire to integrate media and social issues emerged after a Postgraduate Diploma in Social Communications Media at Sophia Polytechnic in Mumbai, after which she completed a Masters in Media Studies from the New School in New York.

**Heidi Boisvert, Camera and Co-Editor**

Heidi J. Boisvert recently joined the Breakthrough team as their Multimedia Manager and is responsible for overseeing production of a wide range of new media including video games, video stories, and flash animations, to help raise awareness and transform attitudes to create broader support for human rights. While an MFA student at Hunter College in the Integrated Media Arts program (along with Natalia Rodriguez, an MFA student the Performance and Interactive Media Arts Program at Brooklyn College), Heidi designed ICED - I Can End

Deportation, the downloadable game created by Breakthrough to spark dialogue and create awareness of unfair U.S. immigration policies. Prior to joining Breakthrough, she taught Digital Media & Media Studies at Hunter College, and launched a free Digital Media Program for low-income youth, adults and parent/child teams at the Bronx River Art Center through Time Warner & NOAA funding. Heidi also has taught 3D Game Design, Documentary Video, and Photography at BRAC and Newark School of Art, ENG shooting & editing at BCAT and served as an educator and exhibition designer at the Museum of the Moving Image after many years working as a freelance editor, shooter and independent producer.

## **CREDITS:**

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A Breakthrough Production

In association with

American Civil Liberties Union

Amnesty International USA

The American Immigration Lawyers Association

Asian American Justice Center

The Center for Constitutional Rights

Coalition for Humane Immigrant Rights of Los Angeles

Fair Immigration Reform Movement at the Center for Community Change

Heartland Alliance's National Immigrant Justice Center

Immigration Equality

Latin American and Caribbean Community Center

National Council of La Raza

National Immigration Law Center

National Immigration Project of the NLG

National Latina Institute for Reproductive Health (NLIRH)

New York Immigration Coalition

OneAmerica, Formerly Hate Free Zone

The Opportunity Agenda

Rights Working Group

South Asian Americans Leading Together (SAALT)

Tennessee Immigrant and Refugee Rights Coalition

WITNESS

Women's Refugee Commission

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Migration Policy Institute

National Immigration Forum

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Archival footage courtesy of  
Immigration and Customs Enforcement  
and "The Least of These"

For copies of this video or to act now, go to  
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**TECHNICAL INFO:**

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Shooting format: High Definition Video (HDV)  
Running Time: 9 minutes 8 seconds  
Aspect Ratio: 16:9