

A. Understanding the Illegal Immigration Reform and Immigrant Responsibility Act of 1996

- [Illegal Immigration Reform and Immigrant Responsibility Act – see Pub. L. 104-208](#)
- [Summary of the 1996 Immigration Bill](#)
- [Grounds of Deportability and Inadmissibility Related to Crimes](#)
- [Burden of Proof to Overcome Aggravated Felony Bar](#)

B. Treatment and Detention Conditions of Criminal Deportees in Haiti

- o [March 28, 2008 Alternative Chance/Michelle Karshan response to 2007 US State Dept Report issued March 11, 2008](#)
- o [UN Refugee Agency: Information on Conditions in Haitian Prisons and Treatment of Criminal Deportees](#)
- o [Advisory By Michelle Karshan of Alternative Chance regarding treatment of deportees in Haiti, May 2007](#)
- o [Alternative Chance: Defending the Rights of Women Criminal Deportees Sent to Haiti from the United States, May 8, 2007 -](#)
- o Affidavit of Thomas M. Griffin, Esq. regarding Prison Conditions in Haiti, Dec 2005 – attached in Word format
- o [Panos Institute Briefing on Criminal Deportees to Haiti, May 1999](#)

General Prison Conditions in Haiti

- o [Policy Briefing Regarding Haitian Prisons, May 2007](#)
- o [Inter-American Commission on Human Rights on Haiti's Detention Centers](#) -(press release) June 21, 2007
- o [Haiti prison population rises; US aid ineffective, audit says - Bloomberg, May 3, 2007](#)

C. Legal Challenges to Mandatory Deportation

1. Governing Human Rights Documents
 - o [Universal Declaration of Human Rights](#)
 - o [International Covenant on Civil and Political Rights](#)
 - o [Convention on the Elimination of All Forms of Racial Discrimination](#)
 - o [American Declaration on the Rights and Duties of Man](#)
2. Violations of the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)
 - o [Convention Against Torture](#)
 - o [Definition of Torture and CAT claims – NYU Annual Survey of American Law](#)
 - o CAT Claim Case History for Haitian Deportees
 - [Lavira v. Attorney General – \(3rd Cir. Feb. 2007; remanded for further proceedings\)](#)
 - [Francois v. Gonzales – \(3rd Cir. May 2006\)](#)

- [Auguste v. Ridge – \(3rd Cir. Jan. 2005\)](#)
 - [In re J-E – \(Board of Immigration Appeals, Mar. 22, 2002\)](#)
 - Though it is maintained by Haitian criminal deportee advocates that the treatment of criminal deportees in Haiti is more egregious than purported in this opinion, In re J-E continues to be followed by immigration judges in denying Haitian deportees withholding. See the Advisories by Alternative Chance for current information about the treatment of Haitian deportees.
3. Violations of American Declaration on the Rights and Duties of Man
- [Human Rights Watch Amicus Brief to Inter-American Commission in support of Wayne Smith and Hugo Armendariz](#)
 - [Center for Justice and International Law Amicus Brief to the Inter-American Commission In support of Wayne Smith and Hugo Armendariz](#)
4. [Amicus Briefs Challenging the Validity of Mandatory Deportation Laws](#)
 These amicus briefs challenge the legality of classifying crimes that are neither aggravated nor felonies as aggravated felonies for purposes of mandatory deportation. The briefs further challenge the practice of mandatory deportation and refoulement.

D. Legislative Initiatives

- [Haitian Protection Act of 2007 - HR 522](#)

Bills Supporting Best Interests of the Child in Deciding to Deport Non-citizen

- [House Resolution 1176](#)

- [House Resolution 213](#)

E. Articles and Reports

[UN Human Rights Council Independent Expert Report on Haiti](#)

-(in French, with special section on deportees in prison) Michael Forst, March 26, 2009

[Hell is a Haitian Prison](#)

-Ottawa Citizen, June 5, 2009

[New life is no life for U.S. ex-cons in Haiti, Criminal deportation is a sore point with the impoverished Caribbean nation, where former inmates are often blamed for rising crime, By Gary Marx, Chicago Tribune, May 17, 2007](#)

[Hellish Conditions Prevail in Haiti Jails](#)

-Association France-Presse, July 12, 2007

[Miami Judges Tougher on Asylum Cases](#)

-Miami Herald, June 1, 2007

[Study: Miami Judges Less Likely to Grant Asylum](#)

-CBS4 Miami, June 2, 2007

[Audit of USAID/Haiti's Justice Program](#)

Influx of deportees stirs anger in Haiti, Some believe US policy helped boost crime rate

-Amy Bracken, *Boston Globe*, March 11, 2007

“Mandatory Detention Gets International Hearing”

- *Families For Freedom*, July 18, 2007

“Forced Apart: Families Separated and Immigrants Harmed by United States Deportation Policies”, Human Rights Watch Report, July 2007

Deportation Case Focuses on Definition of Torture

- *New York Times*, March 11, 2005

“The Child Citizen Act and the Family Reunification Act: Valuing the Citizen Child As Well As the Citizen Parent”, By Victor Romero, Florida Law Review, vol 55, 2003

“Deportation of Criminal Aliens: A Geopolitical Perspective” Working Paper, Margaret H. Taylor and T. Alexander Aleinikoff, June 1998

F. Advocacy Links

<http://alternativechance.org/>

<http://www.detentionwatchnetwork.org/>

<http://familiesfirst.org/>

<http://deportableguy.org/>