Immigrants and Immigration: A Guide for Entertainment Professionals

2017 Media Reference Guide

*Immigrants and Immigration: A Guide for Entertainment Professionals* is a resource for writers, producers, directors, and creators in the entertainment industry who are crafting narratives about the immigrant experience in our country today. With immigration policies and topics of importance constantly changing, the immigration landscape can be difficult to navigate. We all come from somewhere, and journeys of migration and overcoming obstacles in a new land have always made for some of the most compelling storylines featured in television and film. Define American hopes that this toolkit will help increase accurate representation of immigrants on screen as well as help foster more humanizing narratives in entertainment media overall.

Many Americans rely almost exclusively on film, television, and news to shape our understanding of the world. That’s why it’s problematic that historically, stories of immigrants, refugees, Muslims, and people of color have been negative, harmful, and divisive, as they shape others’ views of those groups of people. We ask that you, as creators of these narratives on film and television recognize the power in those stories and try to ensure accurate and humanly compelling representation of immigrants on screen.

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Listen to our stories

Define American has compiled an exhaustive online collection of videos, photos, and writing capturing the conversation about immigrants, identity, and citizenship in a changing America. Visit DefineAmerican.com/stories

GLOSSARY OF TERMS:

Problematic: **illegals, illegal immigrant**

The Associated Press writes in the *AP Stylebook*, “Except in direct quotes essential to the story, use illegal only to refer to an action, not a person. Illegal immigration, but not illegal immigrant.”

Problematic: **alien, illegal alien**

The term *illegal* is dehumanizing and replaces complex legal circumstances with an assumption of guilt.

Preferred: **undocumented immigrant, unauthorized immigrant, undocumented American**

“Undocumented” or “unauthorized” offer options for neutral terminology.

Learn more about our #WordsMatter campaign at DefineAmerican.com/wordsmatter
**Anchor Baby**: An offensive term that is often used to refer to a child born to a noncitizen parent under the assumption the child will provide them a pathway to securing citizenship or legal residency.

**Asylum/Asylee**: A person or group of people seeking entry into a country of which they are not a citizen to secure protection based on their religion, nationality, political affiliation or particular social group membership.

**Blanket Waiver**: An immigrant seeking a visa or an adjustment of their immigration status who is found inadmissible for not being vaccinated may apply for a blanket waiver, which is given when health care professionals have stated that the individual has received the required vaccinations or has been unable to receive them for medical reasons.

**Border Patrol**: A federal law enforcement agency that monitors the Canadian and Mexican borders in an attempt to prevent illegal crossings into the U.S.

**Border Wall**: The barrier that exists between the U.S. and Mexico that aims to keep people from entering into the country illegally. The current presidential administration has plans to build a bigger and more expensive wall.

**Constitution-Free Zone**: A zone within 100 miles of the U.S. border where immigration authorities can operate immigration checkpoints at random. In this zone, it is not uncommon for border patrol agents to engage in unconstitutional traffic stops and property searches and for undocumented immigrants to be immediately detained.¹

**Continuous Residence**: When applying for citizenship, applicants must prove continuous residence, or that they have maintained residence in the U.S. for a specified amount of time.

**Deferred Action for Childhood Arrivals (DACA)**: DACA is a program that allows individuals who came to the U.S. as children and meet several requirements to apply for temporary protection for deportation and work eligibility for a period of two years. DACA does not provide a path to citizenship. The Trump administration has decided to phase out this program beginning on March 5th, 2018.²

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<td>DACA recipients cannot receive amnesty, a path to citizenship, or legalization.</td>
<td>DACA recipients can get a temporary stay against their deportation for 2 years at a time.</td>
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<td>DACA recipients cannot vote.</td>
<td>DACA recipients can apply for driver’s licenses in some states. The licenses are clearly marked that they cannot be used for federal purposes, like voting.</td>
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<td>DACA recipients cannot receive any federal benefits, like Social Security, college financial aid, or food stamps.</td>
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**Deportation**: Deportation occurs when the federal government orders forced removal of an undocumented individual from the United States. A common misconception is that deportation is only pursued when criminal laws have been violated. In reality, individuals are and continue to be deported for things like minor traffic offenses or no reason at all other than unauthorized status (like deportation of unaccompanied minors).

**Detained**: When an undocumented individual is apprehended and taken into custody in preparation for deportation.

**Detention Center**: A facility where undocumented immigrants are held after being detained. The vast majority of detention centers operate on a “for profit” model.

**DREAM**: The term “DREAMer” took its name from a bill in Congress, which would have given legal status to certain undocumented immigrants who came to the U.S. as children. Individuals who would have qualified are referred to as DREAMers. Several

**STORY**: Immigration busts a boon for America’s biggest private lockup
Congressional bills have been introduced since 2001 but none have passed. Individuals who have since become eligible for DACA are also referred to as DREAMers.

**First Generation:** The first members of a family to become new residents in a country. This term can also refer to the first children to be born in the U.S.

**Green Card:** A green card is an informal name for a permanent resident card which allows immigrants to live and work permanently in the United States.

**H-1B Visa:** A specialty visa that allows U.S. employers to hire foreign workers into specialty occupations.

**ICE Detainer:** U.S. Immigration and Customs Enforcement (ICE) must have probable cause that the individual is deportable before issuing a detainer. This does not necessarily mean that the person is undocumented, as legal permanent residents can be eligible for this treatment as well.

**Immigrant:** An immigrant is defined as a person who migrates to another country, usually for permanent residence.

**Immigration and Customs Enforcement (ICE):** ICE is a federal law enforcement agency under the United States Department of Homeland Security that enforces laws governing border control, customs, trade, and immigration.

**Individual Taxpayer Identification Number (ITIN):** An ITIN is a tax number issued by the Internal Revenue Service (IRS) to ensure that all individuals (including undocumented people) pay taxes, regardless of their immigration status.³

**Migrant / Migrant Worker:** An individual who travels seasonally in search of temporary work. Not all migrant workers are undocumented, and not all undocumented individuals are migrant workers.

**Mixed-Status Family:** When individuals within a family unit have different citizenship and/or immigration statuses.

**Naturalization:** The process of being granted U.S. citizenship after certain eligibility requirements have been met.⁴

**Provisional Waiver:** Certain visa applicants who are spouses, children, or parents of U.S. citizens may be eligible to apply for a provisional unlawful residence waiver, which allows them to leave the United States to attend their consular interview without being issued an unlawful bar (which would consequently prevent them from returning to the U.S.).

**Refugee:** An individual who has been forced to flee his or her home country due to political persecution, natural disaster, famine, or war.

**Sanctuary:** A location that offers temporary security, safety, and protection for undocumented immigrants. Generally speaking, Immigration and Customs Enforcement (ICE) has viewed churches, hospitals, and schools as sensitive locations where they do not conduct enforcement actions such as arrests - although they do not always honor the policy.

**Sanctuary Church:** When a church or faith community commits to offer their resources to become a safe haven and sanctuary for members of the undocumented community. Many congregations are expanding their view of sanctuary. While it still may mean housing individuals in a type of “underground railroad,” it has become a broader exploration of how a faith community can engage in acts of love, welcome, and justice to all people.

**Sanctuary City:** A sanctuary city is a city/state that limits its cooperation with the national government effort to enforce detention and deportation of its residents.⁵ This is important because it allows anyone to report crimes, without fear of deportation.

**Temporary Protected Status (TPS):** An individual may be granted TPS if their country of origin has been designated by the Secretary of Homeland Security as a country where conditions prevent immigrants from returning to the country safely or if the country lacks the resources to adequately accommodate their return.

**Touchback:** The myth that undocumented individuals can just temporarily go back to their home country to easily gain a legal path to citizenship in the U.S.
citizenship is not easy, which is why there are still over 11 million undocumented immigrants in the U.S. This myth is often used to trick undocumented immigrants to unknowingly “self-deport.” For undocumented immigrants, leaving the country results in a 10 year bar from applying to re-enter with authorization. In many countries the wait-list for applications is decades.

U.S. CITIZEN: A legally recognized subject of the United States - either native or naturalized.

U.S. CITIZENSHIP AND IMMIGRATION SERVICES (USCIS): USCIS is an agency under the United States Department of Homeland Security that is principally responsible for matters dealing with citizenship and immigration services.

VISA: A visa is an official document that indicates that the holder has permission to enter and stay in a requested country for a specified period of time. 

Prevalent stereotypes of immigrants:

IMMIGRANT AS CRIMINALS
Although immigrants are actually less likely than the native-born population to commit crimes and be incarcerated, often, in television and film, we see immigrants portrayed as committing crimes or engaging in criminal activities. Using data from the U.S. Census and the American Community Survey (ACS), researchers have shown that immigrants are less likely to be incarcerated than natives, and that crime rates and levels of immigration are not correlated.

“THE GOOD IMMIGRANT”
While immigrants, like all people, are complex and lead complex lives, a common narrative seen in media today is the myth that only “good” immigrants – those who are highly educated, wealthy, and have white collar jobs – are worthy of living in the United States. Donald Trump has proposed legislation (like the RAISE Act) that perpetuates this type of discrimination and the idea that new immigrants must “earn” their place in America unlike immigrants before them. This guts the traditional value in immigration policy of family unification, and imposes a higher barrier of entry for immigrants who have less access to educational and/or financial resources or who are from developing countries, many of which are homes to people of color. Requiring English proficiency is another strategy in weeding out immigrants of color. We encourage film and television projects to push past this harmful way of thinking to explore rich storylines about immigrants regardless of their socio-economic status or level of education.

STORY:

“The Good Immigrant,” #EmergingUS
https://www.youtube.com/watch?v=pvzNEVUf31k

“The Problem with the Concept of the Good Immigrant”
https://www.vice.com/en_us/article/5gg9qk/the-good-immigrant

Trump’s Raise Act on Immigration
http://time.com/4887574/trump-raise-act-immigration/
IMMIGRANTS AND RACE ON TV

The facts:
According to a recent study by the Opportunity Agenda, immigrants of color are underrepresented on television and less likely than White immigrants to be cast in recurring roles. The study also found that immigrants of color are more likely to be portrayed in lower level professional positions and engaging in criminal activity.\(^8\)

% Immigrants represented engaging in criminal activity

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Source: The Opportunity Agenda

Common misconceptions about immigration and race

Undocumented immigrants are often assumed to be Mexican, since Mexicans are currently the largest undocumented population in the U.S. However, the fastest growing undocumented population is Asian immigrants.\(^9\) In fact, in the last 2 - 3 years, more Americans have migrated to Mexico than Mexicans have migrated to the United States.\(^10\) Undocumented Black and White immigrants are often erased from the conversation.

BEST PRACTICES FOR PRODUCING PROJECTS ABOUT IMMIGRANTS

Consulting with the undocumented community

If writing about or producing a project about a culture or group outside of your own, it’s important to speak to members of the community you are working to portray to ensure a realistic character or storyline. When speaking to someone who is undocumented, be conscious of and sensitive to the fact that they are taking a personal and sometimes legal risk by speaking to you about their situation or sharing their narrative.

Seeking an expert opinion

Immigration is a very complex issue and one that many Americans don’t fully understand. One of the ways we can work to counteract misinformation about immigrants and immigration is to seek out an expert opinion when crafting storylines about characters who are undocumented immigrants. The Entertainment Media team at Define American is here to provide an expert voice on television and film projects.

Being sensitive to risk and privacy

Undocumented immigrants are assuming a risk when they speak to members of the media and entertainment communities. Many people in this situation choose to hide their immigration status rather than risk deportation due to the unwanted attention this type of exposure would attract.

While some undocumented immigrants want their status to remain unknown, others are seeking out platforms from which to tell their stories and fight for change. It’s important to keep in mind the risk that undocumented immigrants face in coming forward with their personal journeys.

Moving away from fear-based storytelling

Too often, representation of immigrants in film and television feed into a growing unease and uncertainty around immigration, and the result is a divided and deep fracturing of our country.
Many of the undocumented immigrant portrayals we see in TV and film today are what have been termed “fear-based” narratives. These narratives portray immigrants as either living in fear (of deportation or other types of discrimination) or causing fear in others when they are depicted as terrorists or criminals. It is important to counteract these “fear narratives” by striving to create fully humanized immigrant characters and storylines instead of the stereotypically fearful or fear-inducing representations so often seen in television and film today.

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**IMMIGRANTS ARE GOOD FOR THE ECONOMY**

**The macroeconomic impact of immigration**

According to a team of economists and researchers, the economic effects of immigration are mostly positive and encourage economic growth. Their report “assesses the impact of dynamic immigration processes on economic and fiscal outcomes for the United States, a major destination of world population movements.”

**Undocumented Americans and taxes**

Undocumented Americans pay $11.64 billion annually in state and local taxes. Contributions range from almost $2.2 million in Montana to more than $3.1 billion in California, home to more than 3 million undocumented immigrants. Undocumented Americans nationwide pay on average an estimated 8 percent of their incomes in state and local taxes (this is their effective state and local tax rate). To put this in perspective, the top 1 percent of taxpayers pay an average nationwide effective tax rate of just 5.4 percent. Allowing undocumented Americans to work legally would increase these state and local tax contributions by an estimated $2.1 billion a year.

**Immigration and labor**

Immigrants, both documented and undocumented, are often exploited for cheap labor nationwide. Undocumented Americans are routinely paid under minimum wage and perform undesirable and dangerous jobs.

While it is sometimes assumed that most undocumented Americans living in the U.S. are farmworkers, there are undocumented Americans in nearly every profession. From doctors to lawyers, emergency first responders, and a Pulitzer Prize winner, undocumented Americans have excelled in many different fields in our country.

**Undocumented Americans and Social Security**

Undocumented Americans pay $12 billion annually to the Social Security Trust Fund and will never have access to those funds when they retire. An estimated 7 million people are currently working in the U.S. illegally. The SSA estimates that unauthorized workers have paid $100 billion into the fund over the past decade.

**Immigrants and entrepreneurship**

Immigrants are more likely to start businesses than native-born Americans. In 2012, the native-born entrepreneurial rate was 0.26%. The immigrant entrepreneurial rate was 0.49%.

**Common fraud against immigrants**

Unfortunately, many immigrants become the victims of fraud when they are told incorrectly that they can “fix their status” by dishonest immigration attorneys who will then charge them thousands of dollars and still be unable to help them obtain a green card or citizenship.
What is DACA?

Deferred Action for Childhood Arrivals, or DACA, is a Department of Homeland Security policy that allows for certain undocumented Americans to have their deportations delayed and obtain a temporary work permit. To be eligible, a person must have been age 30 or younger as of 2012, enrolled in or graduated from high school, and not have a felony conviction. Individuals must submit to a biometrics and background check, and pay $495 in fees as part of their application. DACA lasts for two years, and the average age of a DACA recipient is 25.

Risk of losing DACA

The Trump administration has decided to end the Deferred Action for Childhood Arrivals program beginning on March 5th, 2018. When the DACA program ends, there will be students wondering why their teacher can’t come to school anymore; patients wondering where their favorite nurse has gone. There will be police officers missing their partners, firemen left shorthanded, and military and servicemen who would give their life for this country while worrying about the fear of deportation.

According to a 2017 poll, a majority of those who voted for Donald Trump (73%) want undocumented young people, colloquially known as “DREAMers,” to stay in the US legally.

**DO:** Humanize your story by talking to DACA recipients and those directly affected by the program.

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**STORY:**

Denea Joseph

Francisco Medina

Justino Mora

Veronica Garcia
IMMIGRATION LAW ISSUES

Pathways to citizenship

DISCLAIMER: Under current immigration law, for most undocumented Americans, there is no pathway to citizenship and the following options do not apply to their situations.

ASYLUM status can be granted to an individual who has suffered persecution in his/her home country due to their race, religion, nationality, membership of a particular social group, or political affiliation. There must be fear of returning to one’s home country for one of the previously mentioned reasons.

GREEN CARD eligibility can be obtained through being a spouse of a U.S. citizen, parent of a citizen who is at least 21 years of age, or an unmarried child of a U.S. citizen under the age of 21. Many people are denied green card status due to past civil or criminal violations/unknown reasons.

MARRIAGE to a citizen or permanent resident does not necessarily mean that a person who is undocumented has a path to citizenship. Restrictions include the requirement of a legal method of entry into the country. The spouse of a citizen can be deported.

MILITARY SERVICE is not a guaranteed path to citizenship, and undocumented individuals are only allowed to serve through special programs that the Trump administration has recently announced will be canceled. Some immigrants have served in the military and have been deported to their country of origin.


RESOURCE: Deported Veterans Support House, [deportedveteranssupporthouse.org](http://deportedveteranssupporthouse.org)

U VISA is a visa for victims of violent crimes here in the United States. Many undocumented victims are afraid to report assaults due to fear of deportation and not having valid evidence of the crime, so this solution is not common. The spouse of a citizen can be deported.

Increased arrests and detentions

While deportation rates have remained steady, Immigration arrests increased 38% in the first three months of the Trump administration. From January 22 to April 29, ICE officers arrested 41,318 people, at a rate of more than 400 people per day, compared with 30,028 over roughly the same period in 2016, the data showed. Source: Federal Immigration and Customs Enforcement

Sanctuary

Cities, congregations and schools have begun to offer sanctuary to a higher volume of undocumented immigrants who are at high risk of deportation. Every sanctuary case is unique and the rules vary from state to state and institution to institution.

The state of California recently announced that they have passed legislation to become a sanctuary state. [16]

STORY:

Her husband and kids are U.S. citizens. She’s being deported in July.

Deportation and foster care

An increase in arrests and detentions results in an influx of children from immigrant families being placed into foster care after their parents have been detained and/or deported.

**STORY:**

**STORY:**
Left Behind: Trump’s Immigration Plans Could Spur Uptick in Foster Care Numbers

The Global Migration Crisis

What prompts migration?

Migration is often directly linked to war, famine and terrorism, and many migrants are fleeing deadly situations in their home countries. Tens of thousands of Salvadorans, Guatemalans, and Hondurans, many of them unaccompanied children, have arrived in the United States in recent years, seeking asylum from the region’s skyrocketing violence. Their countries, which form a region known as the Northern Triangle, consistently rank among the most violent countries in the world.¹⁷

Undocumented Asian population in the U.S.

The fastest growing undocumented population are Asian immigrants who grew at a growth rate of 202% between 2000-2013.¹⁹

Migration from Mexico to the U.S.

140,000 more people have left the United States for Mexico between 2009 and 2014. More Mexican immigrants have returned to Mexico from the U.S. than have migrated here, resulting in an immigration net loss of 140,000 from 2009 to 2014. The same data sources also show the overall flow of Mexican immigrants between the two countries is at its smallest since the 1990s.¹⁸

Between 2009 and 2014, about 140,000 more Mexican immigrants have returned to Mexico from the U.S. than have migrated here.
Source: Pew Research Center
Define American is a non-profit media and culture organization that uses the power of story to transcend politics and shift the conversation about immigrants, identity and citizenship in a changing America. At Define American, we believe that powerful storytelling is the catalyst that can reshape our country’s immigration narrative and generate significant cultural change. We partner with some of the biggest influencers in Hollywood and leverage the power of media and entertainment to create a new rhetoric and cultural relevancy around this crucial topic.

ENDNOTES

1. https://www.aclu.org/other/constitution-100-mile-border-zone?redirect=constitution-100-mile-border-zone
8. https://opportunityagenda.org/explore/resources-publications/power-pop

ABOUT DEFINE AMERICAN

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Immigrant Representation on Television

Immigrants comprise 17% of the U.S. population. Yet, identifiable immigrant characters comprised just 6% of roles.

On TV, immigrants of color are more likely to be represented engaging in criminal activity.

Storylines about unlawful activities accounted for 25 percent of all storylines involving immigrant characters.

In reality, immigrants are less likely to commit crimes, and be incarcerated, than the native born population.

% Immigrants represented engaging in criminal activity

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73% of immigrant characters are male

94% of White immigrant characters were cast in medical, scientific, or military roles, while 25% of Latino immigrant characters were represented in lower-level professions or as unemployed.

The immigrant landscape on television is overwhelmingly straight and male leaving characters that are LGBT, Female, and of color significantly underrepresented.

RECOMMENDATIONS

- Reach out to organizations like Define American, which provides services that include reviewing scripts, connecting writers to immigrant communities, providing access to legal counsel, and support on set for immigrant storylines.
- Hire and support diverse writers to help encourage more inclusive storytelling. A recent study on Race In the Writers Room found that over 90% of all the shows examined were led by white showrunners.
- Encourage new storylines that avoid tired, harmful, and fear-based stereotypes.
- Create nuanced portrayals of immigrants that more authentically depict the immigrant experience.
- Consider challenging stereotypes against immigrants through comedy, which has the power to effectively reach audiences whose beliefs differ from our own.
- Add immigrant characters into everyday storylines to appeal to diverse audiences and viewers.

Research from The Opportunity Agenda, Power of Pop: Media Analysis of Immigrant Representation in Popular TV Programs

April 2014 to June 2016 seasons