

# Give teen immigrants due process



Speaking up for safe havens: City Supervisor David Campos wants to make San Francisco a sanctuary for immigrants. Photo by Steve Rhodes on flickr.com, used with permission.

Opinions Editor

Don't tell the Feds! David Campos, a San Francisco city supervisor, has proposed legislation that would prohibit city officials from alerting federal immigration authorities when an illegal immigrant under the age of 18 is arrested on felony charges.

Currently, youths who are not legal residents in the United States are reported upon their arrest on felony charges to federal immigration officials for possible deportation. With the proposed Campos legislation, federal authorities would be notified that the youth is living here illegally only if he or she is convicted.

San Franciscans have debated this issue for decades, beginning in 1989 when San Francisco formally declared itself a sanctuary city. This status means that San Francisco has the ability to shield illegal immigrants from federal authorities unless superseded by federal law. In 1992, the city withdrew

sanctuary protections for illegal immigrants arrested for a felony, but did not enforce the rule.

In 2008, all this changed. Edwin Ramos, an illegal immigrant, killed Tony Bologna and his two sons in San Francisco. Authorities discovered that Ramos had previously been arrested as a juvenile, but because of city policy, he was not deported. Danielle Bologna, wife and mother of the victims, believes her family died because Ramos was not deported as a youth.

As a result of this situation, Mayor Gavin Newsom ordered law enforcement officials to report immigration status to federal authorities for youths and adults immediately upon arrest on felony charges, thereby changing the policy.

Cases such as that of Edwin Ramos make the recently proposed protections for illegal youths difficult to pass. However, the benefits of the proposed legislation outweigh its potentially

negative aspects.

The policy as it stands now, without the proposed changes, does not work. Deporting youths solely because it is alleged, but not proven, that they have committed a felony means that they are determined guilty upon arrest.

This eliminates the right of due process. As Campos said when introducing his legislation, "none of us wants to condone criminal activity, but there is a difference between being accused and being guilty." When these youths lose the protection of the sanctuary city policy immediately upon arrest, it makes their guilt or innocence irrelevant.

Despite these illegal immigrants' lack of citizenship, they often have tight bonds of family and community in the U.S. To deport a youth often means separating him or her from family and friends. If the idea is to find the true perpetrator of a crime, and also to act humanely in treating juveniles who are moving through the legal system, then the current policy of deportation regardless of guilt is inappropriate and ineffective.

Opponents contend that the Campos legislation will conflict with federal law and open the city up to lawsuits. Yet on other occasions city officials have taken risks to follow what they believe is right. Just as this city skirted federal law in favor of same-sex marriage and health care for all, so too should we be willing to defend the rights of illegal immigrants, despite the consequences.

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nationalities, as I struggle to find a balance in my loyalties.

This internal, moral discrepancy has now become political, as manifested through government letters and official notifications. As a graduating senior, I get the same college literature as everyone else. But my mailbox is flooded with Army recruitment pitches

being a global citizen is more than juggling two passports. It's tolerating the myriad of cultures that merge when far-flung people like my parents fall in love. I accept the duty to preserve that history, all of it. So I am nervous about turning 18 and being asked to renounce one of my nationalities. When the time comes to choose, I don't know what I will do. For now, I'm deciding not to decide.

## - Calling all youth: Same-sex marriage must be the next civil rights struggle

by Adrienne von Schulthess  
Staff Writer

My parents have been married twice and may have to get married a third time. I don't come from a broken family; my parents love each other and always have. The only problem is, they're lesbians.

In May of 2008, the California Supreme Court ruled that same-sex couples could wed. More than 18,000 same-sex couples, including my parents, were married.

However, in November, voters passed Proposition 8, which amends the California constitution to "eliminate (the) right of same-sex couples to marry." Now a legal battle is being fought to determine if voters can alter the state constitution in such a drastic way.

It is not only the attack on civil rights that is offensive to me, but also the misleading methods the supporters of Prop 8 employed. They used children, highlighting them continuously, but giving them no voice. Supporters of Prop 8 used children's images in campaign videos without permission, and argued that same-sex marriage would be taught in schools. In reality, "nothing mandates teaching (same-sex marriage)," says Kate



photo by Adrienne von Schulthess

URBAN'S GSA protests against "Yes on 8" campaign, saying that all love is love

Belcsak, co-president of Urban's Gay/Straight Alliance. Unfortunately, "there was no (public) response to the scare tactics," said Boone Epstein, GSA co-president. Children of gay parents need to "come out and say they are regular human beings, and not some devil's spawn."

After Prop 8 passed, outrage generated demonstrations across the country.

I went with my family to a rally in San Francisco. Protesters carried signs with slogans such as, "Don't mess with Dumbledore's rights," or "No more Mr. Nice Gay," and "Get your church out of my state."

Members of Urban's GSA were at the rally. They came out on a Saturday for an issue that is more important than a day off from school.

Many families had brought their children. I talked with a gay couple and a lesbian couple who are raising a child together: their love for the child was clear.

Another heterosexual couple talked about their anger that their gay and lesbian friends could have this basic right taken away; their ten-year-old son called the Prop 8 campaign "lies." Urban Spanish Teacher Esteban Speir agreed, saying, "It was a scare tactic used by the right, that we were going to teach gay marriage as a unit in social studies."

My moms are amazing, and I know how much it hurts them every time people are homophobic. I see this issue as simple. It's a civil right: My parents love each other, and they want to marry in a country that says everyone is equal under the law.

As their daughter, I am standing up and saying that there are no reasons that could be argued in a courtroom that could stand against the undeniable fact that we are a family, like any other.

Dear Editor,

Wow! It's beautiful. What a great combo of great, big color photos and type and white space and content. The whole package. Story selection. Writing. I know this quality of work doesn't come easy. This is a great publication, one I'm sure your community is agog about. Congrats to you and your students!

Paul B. Karvell, Adviser, Poly Voice, Palo Alto High School

Dear Editor,

It was a delight to have you [visit on Nov. 3] – especially given that a group of aspiring journalists got a chance to witness one of the most remarkable nights in the nation's history and to experience the electricity that courses through a newsroom on such an occasion. Your students were genuinely impressive – intelligent, articulate, personable – and they handled themselves beautifully throughout the evening. I've also had a chance, in the intervening days, to read the newspaper you left for me. It's excellent, so congratulate the class for me. All the best.

Steve Proctor, Deputy Managing Editor, San Francisco Chronicle

Dear Editor,

The "Can Art Disappear?" article by Justine Palefsky really stood out in last month's newspaper. It was an extremely interesting and well-written article about the abandoned hospital in the Presidio, and the art that sprung up there. I had never heard about the Public Health Services Hospital and found Erin Wallace's descriptions of the building and its art intriguing. It was nice to hear about the life of an Urban student outside of school. I would be interested to hear more about Urban students lives: their secret passions and interests and things they've achieved. This article really inspired me and I hope there are more like it in the future.

Conn Robertson ('11)

Dear Editor,

Thank you for sending me the November issue of *The Urban Legend*. I enjoyed its lively writing and relevant articles. Good to see the paper's political involvement and the fact that the staff had an editorial endorsement. The photography is excellent; many schools would envy it. My compliments to the whole staff, and special notice to Adrienne von Schulthess for her politics and laughter piece; the sportswriters for their writing; Sebastian Gultierrez for the verve of his entertaining movie commentary. The writing, overall, is quite good throughout. The letters to the next president was an excellent idea... Looking forward to your next issue.

Robert Greenman, Educational Consultant, The New York Times

ing to John Lavine, dean of the Medill School of Journalism at Northwestern University.

At a time when newspapers are facing many economic hardships, and readers seem to be less and less dependent on traditional media for

information, they are interested in and focus exclusively on it. No longer is it necessary to read about topics that do not directly relate to their interests.

Adam Wolf (11) described the way he gets his news as following those popular trends. He gets his

news by watching the news and fact-checking — which used to be the strength of newspaper journalism — has become its downfall.

As if the Internet hasn't hurt them enough, newspapers are also facing a weak economy. And when the Seattle and Denver papers

keep losing profits through photography, video, and interactive media will more accurately meet consumers' interests.

"As consumers move away from television and newspapers for news and information, they will expect to find the information they

change journalists of the future will need to understand public relations and marketing along with quote marks and picas

Yes, some newspapers are dying. But change is not necessarily a bad thing. As young journalists we're ready to move forward.

# Despite costs, America needs to close Guantanamo prison

Adrienne von Schulthess

Staff Writer

Closing a prison is harder than it looks. Recently, the Senate rejected President Obama's request for \$80 million to close Guantanamo Bay military prison.

In response, last Thursday Obama announced that he would close the prison with or without support, saying that it is time to "clean up the mess."

It was in January, on his second day in office, that Obama signed an executive order to close Gitmo. Located in southeast Cuba, some 90 miles from Florida, Guantanamo has held up to 800 prisoners and now holds around 250.

Built to detain enemy combatants, it has become synonymous with torture over the past seven years. Many detainees have been held for years without charges.

Greg Monfils, an Urban teacher who follows constitutional law issues, said that "Guantanamo was an effort by the Bush Administration to circumvent the habeas corpus guarantees of the Constitution." Habeas corpus states that a person who is put under arrest is told the charges for his or her detention.

Given this, closing Guantanamo seems straightforward, except

for one small question: Where will all the detainees go?

It seems fair to say that terrorist suspects won't be welcome in most neighborhoods. Not surprisingly, a group called Military Families United, with tens of thousands of members, is circulating a petition to make sure that the suspected terrorists are not relocated into any of their towns or cities.

Congressman Bill Young (R-Fla.), said that "there's a lot of discomfort about the idea of bringing the detainees into the United States. That's why I've suggested Alcatraz."

House Minority Leader John Boehner echoed the idea, saying "if the liberals in America believe that Gitmo ought to go, then maybe we ought to just open Alcatraz and move those prisoners there."

Recently, the city of Hardin, Montana, population 3,384, has volunteered to house the Guantanamo Bay detainees in its empty state-of-the-art prison. Apparently, the need for jobs in a poor economy outweighs the risk involved in inviting terrorists into their town.

Yet another possibility is sending detainees back to their own countries, but that could expose them to torture and even death.

Monfils talked about a group of

17 Chinese Muslims being held at Guantanamo; the United States has determined them to be no threat, and has cleared them for release. Unfortunately, "we are afraid that if we send them back to China they will be tortured," Monfils said. Some countries are afraid to take the prisoners for fear of angering China.

"The Bush administration made a mess," Monfils said, adding, "it takes time to clean up a mess."

Earlier releases of detainees also have contributed to the difficulties of releasing more.

Pentagon spokesman Geoff Morrell disclosed on Feb. 7 that even after a rehabilitation program, 18 former Guantanamo detainees are known to have joined terrorists groups and 43 more are suspected of terrorist activities.

In January, a video posted on a

militant leaning website with Said Ali al-Shihri, a former Guantanamo detainee, gave evidence that he is now the deputy leader of Al Qaeda in Yemen. Such information will make it harder for the Obama administration to work towards closing Guantanamo.

Amid all this debate, one thing is clear: Guantanamo Bay is a symbol of the terrible practices the United States has used in the war on terror.

"The torture that (was) performed at Guantanamo Bay is completely incongruous with the principles of our nation," says Urban student Lindsay Welch (11).

Monfils predicts that "the Obama administration will have to be particularly careful in the course of the year with what they do with some of these detainees. There will be a balancing act between our ideals and our safety." To be sure, while closing Guantanamo will be difficult, restoring America's moral and political credibility requires it.

Along with closing Gitmo should come an overall change in U.S. policy regarding other prisons that America creates or maintains

throughout the world.

The conflict in Iraq, along with an increasingly heated war in Afghanistan, will provide plenty of opportunities to do the wrong thing — to create another Guantanamo Bay prison, where human rights are not defended.

Unfortunately, the Obama administration said that prisoners held at Bagram Air Force Base in Afghanistan are not guaranteed constitutional rights.

Incredibly, the Justice Department argued that because prisoners are in a war zone, holding trials could threaten the security of U.S. judges and lawyers brought in to help with the legal process.

That is just plain wrong. Obama said as much last January in his inaugural speech, when he declared that "as for our common defense, we reject as false the choice between our safety and our ideals."

In Afghanistan, apparently the choice between our safety and ideals has already been made.

If the sad and embarrassing story of Gitmo has taught us anything, it's that sometimes we have to do what's right — even if that means giving our enemies the same constitutional and human rights they'd like to take away from us.



illustration by Adrienne von Schulthess