INFORMATION AND SYLLABUS

Professor Kit Johnson
Fall 2026
Crimmigration
Course 6100
(2 credits)

A. Course Information

1. **Class Time and Location:** We will meet on Thursdays from 1:30PM to 3:20PM in Classroom 3.

2. **Final Exam Date:** December 10, 2026 (Thursday), 9:00AM

3. **Course Prerequisites:** None

4. **Professor Contact Information:**

   - Office: 3004
   - Email: kit.johnson@ou.edu

   Please note that I do not answer or discuss substantive questions through email. Moreover, perhaps unlike many students, I do not read email on an hour-by-hour or even day-by-day basis. I may not respond at all to certain emailed questions, including those that ask for information clearly provided in this syllabus. If you miss class, please ask other students for information you may have missed, such as reading assignments. Any email communications that you do have with me should be prepared in a professional manner, including the use of a meaningful subject line.

   If you have any questions about the exam, please ask them in open class. In the interest of fairness, I do not discuss the exam on an *ex parte* basis.

   If you anticipate that you may be asking me to write you a letter of recommendation in the future or to serve as a reference for you, then please make sure you do the following at the end of the semester: (1) send me an email letting me know of your intention, (2) attach your résumé to the email in .pdf or .doc format, and (3) use the subject line "request for reference." Your doing so will enable me to make some notes about you while your classroom performance is fresh in my mind.

5. **Office Hours**: My office is No. 3004. I will hold regular office hours on Thursdays from 3:30PM to 5:00PM and Fridays from 11:00AM to 12:20PM. Office hours may end early if no

students are present. **Note: The last day I will meet with students outside of class is Tuesday, December 1, 2026.**

6. **Learning Management System**: Course announcements, assignments, web resources, handouts, and a copy of this syllabus will be posted to Canvas at https://canvas.ou.edu/courses/497544. To access Canvas, go to https://canvas.ou.edu and log in using your 4x4.

7. **General Information:** I reserve the right to adjust this syllabus at any time during the semester.

B. Course Materials

1. **Required Text:** There is one required text for this course: Kit Johnson, Crimmigration Law: An Open Casebook version 3.0 (2026).

2. **Required Statutes:** We will spend a fair amount of time with immigration statutes. I've compiled relevant statutes in Kit Johnson, Immigration Law: Statutory Supplement 2026. Other versions are available in print and online.

C. Course Goals

This course concerns the nexus between criminal and immigration law. We will explore the treatment of criminals in the immigration law system as well as the treatment of noncitizens in the criminal justice system. We'll discuss the use of criminal law to influence migration. Finally, we will explore border enforcement as well as state and federal efforts to enforce immigration laws within the interior of the United States.

D. Course Policies

1. **Final Grade:** Your course grade will be based principally on your final exam performance. The final will be a closed book examination. It will be comprised of multiple-choice questions. Exams will be "blind graded" so that I will not know the identity of the student as I am grading his or her exam. Take note: You may not waive anonymity. Self-identification on the exam or otherwise acting to destroy anonymity before, during, or after the exam will, at a minimum, result in a lower grade, and may result in disciplinary action. Later in the semester, I will distribute an Exam Memorandum with additional information about the exam structure and content.

2. Student Conduct

a) **Digital Devices**: Please use your laptop, tablet or other electronic device to take notes only, unless otherwise directed as part of a class exercise. Activities other than note-taking are extremely distracting to other students. Please turn off the sound on any electronic device you bring into class. If you are being distracted by a classmate's digital device, please let me know so that I can help remedy the situation.

b) **Video/Audio Recording: No one is permitted to make an audio or video recording or transmission (e.g., a livestream) of class without my express, written permission.** No one other than I can give you permission to record class. If you believe you have permission to record class from another source, such as a university administrator, you do not in fact have permission to record. You must speak with me. Failure to comply with this recording policy is a violation of the law school's honor code.

I will record each class session. Those recordings will be posted to Canvas. The following rules apply to use of the recordings:

- **Personal use only**: Recordings are solely for your personal academic use during the current term.
- **Confidentiality**: You will not share recordings with others.
- **No unauthorized use**: You will not copy, distribute, publish, or profit from the recordings.
- **Respect for intellectual property**: You will not quote or publish lecture content without the instructor's permission.

c) Do not eat in class. Do not chew gum audibly.

d) Please refrain from wearing perfume or cologne in class or during office hours.

e) Do nothing that might disrupt class or distract your fellow students.

f) It is very important to me that our classroom environment is one where everyone feels safe to be themselves and to express their thoughts, feelings, and opinions. Our classroom should be a place where everyone is respectful of each other.

g) **AI (artificial intelligence):** You are prohibited from using AI in the completion of any graded work. You will not have access to the internet during your final exam and so will not have the occasion to use AI during your final. Any other uses of AI—such as preparing for class or for your exam—is permitted.

h) **Academic Misconduct:** Cheating, dishonesty, and serious academic misconduct of any kind in this class will presumptively result in a failing grade (e.g., a letter grade of F) for the semester. To be clear, failing to follow final exam instructions in a way that might give a student an advantage—even if done without intent to gain such an advantage and even if inadvertent—constitutes, in my judgment, serious academic misconduct, and it will presumptively result in a failing grade and a referral for discipline. It is your responsibility to treat exam instructions with diligence and care.

In any instance of misconduct, I reserve the right in my discretion to request involuntary withdrawal or award a lower grade other than a failing grade if I find there to be extraordinary mitigating circumstances. Despite my reservation of rights in this regard, however, do not expect leniency.

Please note that the awarding of a lower grade or a failing grade for misconduct is not to the exclusion of other sanctions, and I intend, in virtually all instances, to refer cheating and other serious academic misconduct to the College of Law and/or the administration of the University of Oklahoma for being dealt with under applicable policies, including the Code of Academic Responsibility.

E. Attendance and Other Class Policies

1. Standard 304 of the ABA Standards for Accreditation of Law Schools requires "regular and punctual class attendance." I expect you to prepare for and attend every class period. You should prepare for class by completing the assigned reading and thinking about what you have read prior to class. This includes reading and annotating the federal rules and statutory provisions referenced in your reading, as well as preparing responses to any problems included in your reading. In accordance with ABA requirements, students are expected to spend at least two hours and ten minutes of class preparation for each credit hour of class time. Note that preparing the material in advance and coming to class every day is the single best thing you can do to learn the material and perform well on the exam.

2. I recognize that students occasionally cannot attend class. Accordingly, you may miss **two and a half (2.5)** classes without automatically affecting your grade. Absences in excess of two and a half will presumptively result in a downward adjustment of your final grade as follows: **three (3)** or more absences will result in the dropping of a student's final grade by one step (e.g., from a B to a B–); **three and a half (3.5)** or more absences will result in the dropping of a student's final grade by one additional step (e.g., from a B to a C+); **four (4)** or more absences will result in the dropping of a student's final grade by yet another additional step (e.g., from a B to a C); **four and a half (4.5)** or more absences will result in the dropping of a student's final grade by yet another additional step (e.g., from a B to a C-). Any student accumulating **five (5)** absences or more, whether for illness, interviews, activities, etc., will be excluded from the course and final exam. This syllabus constitutes your warning that you are subject to exclusion on this basis. Keep track of your own

absences. Do not expect to receive an independent warning from me if you draw close to your allowed absences.

3. **Any late arrival to class will count as half of an absence.** That is, if you are late to class two days in a row, your record will reflect one missed day of class. You will be considered a late arrival if you are not seated at your desk before I begin class. A student who arrives late may not sign the regular attendance sheet. Please remind me after class of your late arrival so that I can make an appropriate notation on the attendance sheet. Regardless of how late you are, I encourage you to come to class because coming to class every day is the single best thing you can do to learn the material and perform well on the exam.

4. Absences from any make-up class sessions will not count under this policy.

5. **NOTE: Students who would otherwise need to miss class**, e.g., if ill or out of town, **may join via Zoom**. The instructions for Zoom have been posted to Canvas under Announcements. Zoom attendance is inherently an inadequate substitute for in-person instruction. But it is better than missing the class entirely. **Observing class by Zoom will <u>not</u> count as in-person attendance for purposes of the attendance policy outlined in this section**. That said, if extended illness or a personal situation requires missing or attending more than a few classes remotely, I encourage you to talk to me so that we can try to work through the situation. I will consider exceptions to the absence policy in extraordinary circumstances, in consultation with the Assistant Dean of Students.

F. Student Learning Objectives and Outcomes

1. Course Objective

The objective of this course is to provide students with a nuanced understanding of the relationship between U.S. immigration law and U.S. criminal law, including the following: the immigration consequences of criminal conduct, the effect of criminal conduct on detention during immigration proceedings, the special obligations of criminal defense counsel to noncitizen defendants, the nature of federal immigration crimes, and the limits on immigration enforcement both at the border and within the United States. Familiarity with these topics is desirable in both criminal and immigration practice.

2. Learning Objectives

The learning objectives of this course are to:

- offer a high-level understanding of immigration law
- explain the difference between removal under INA § 212 and INA § 237
- explain the categorical approach to analyzing crime-based deportation

- explain the different statutory bases for detention of noncitizens during immigration proceedings
- explain defense counsel's obligations to noncitizen criminal defendants
- explain federal immigration crimes
- explain the federal sentencing guidelines
- explain the constitutional constraints on immigration enforcement at the U.S. border
- explain the constitutional constraints on immigration enforcement near the U.S. border
- explain the constitutional constraints on immigration enforcement within the United States

3. Learning Outcomes

By the end of this course, you should have the ability to:

- understand the immigration consequences of criminal activity and interactions with the criminal justice system
- understand the criminal consequences of immigration violations
- interpret and analyze statutes, particularly in the immigration context
- interpret and analyze regulations, particularly in the immigration context
- be aware of the unique obligations that arise in the prosecution of noncitizens charged with crimes
- be aware of the unique obligations that arise in the defense of noncitizens charged with crimes
- articulate appellate-level or scholarly arguments, grounded in historical and policy perspectives, on the use of state resources in federal immigration enforcement

G. Course Workload

1. In accordance with guidelines established by the Department of Education and the American Bar Association, the School of Law defines a "credit hour" of work to require at least 42.5 hours of work for each credit. A two-credit course will ordinarily meet for 100 minutes each week and include an examination period. You are expected to spend an average of 4 hours on out-of-class work per week during the semester. Please review the complete credit hour policy.

H. University Policies: The University of Oklahoma requires the inclusion of the following information in all OU course syllabi.

Mental Health Support Services

Support is available for any student experiencing mental health issues that are impacting their academic success. Students can either been seen at the University Counseling Center (UCC) located

on the second floor of Goddard Health Center or receive 24/7/365 crisis support from a licensed mental health provider through TimelyCare. To schedule an appointment or receive more information about mental health resources at OU please call the UCC at 405-325-2911 or visit University Counseling Center. The UCC is located at 620 Elm Ave., Room 201, Norman, OK 73019.

Title IX Resources and Reporting Requirement

The University of Oklahoma faculty are committed to creating a safe learning environment for all members of our community, free from sex-based discrimination, including sexual harassment, domestic and dating violence, sexual assault, and stalking, in accordance with Title IX. There are resources available to those impacted, including: speaking with someone confidentially about your options, medical attention, counseling, reporting, academic support, and safety plans. If you have (or someone you know has) experienced any form of sex-based discrimination or violence and wish to speak with someone confidentially, please contact OU Advocates (available 24/7 at 405-615-0013) or University Counseling Center (M-F 8 a.m. to 5 p.m. at 405-325-2911).

Because the University of Oklahoma is committed to the safety of you and other students, and because of our Title IX obligations, I, as well as other faculty, Graduate Assistants, and Teaching Assistants, are mandatory reporters. This means that we are obligated to report sex-based violence that has been disclosed to us to the Institutional Equity Office. This means that we are obligated to report sex-based violence that has been disclosed to us to the Institutional Equity Office. This includes disclosures that occur in: class discussion, writing assignments, discussion boards, emails and during Student/Office Hours. You may also choose to report directly to the Institutional Equity Office. After a report is filed, the Title IX Coordinator will reach out to provide resources, support, and information and the reported information will remain private. For more information regarding the University's Title IX Grievance procedures, reporting, or support measures, please visit Institutional Equity Office at 405-325-3546.

Adjustments for Pregnancy and Related Issues

Should you need modifications or adjustments to your course requirements because of pregnancy or a pregnancy-related condition, please request modifications via the Institutional Equity Office website or call the Institutional Equity Office at 405/325-3546 as soon as possible. Also, see the Institutional Equity Office FAQ on Pregnant and Parenting Students' Rights for answers to commonly asked questions.

Reasonable Accommodation Policy

The University of Oklahoma (OU) is committed to the goal of achieving equal educational opportunity and full educational participation for students with disabilities. If you have already established reasonable accommodations with the Accessibility and Disability Resource Center (ADRC), please log into AIM to request your semester accommodations as soon as possible and

contact me privately, so that we have adequate time to arrange your approved academic accommodations.

If you have not yet established services through ADRC, but have a documented disability and require accommodations, please complete ADRC's pre-registration form to begin the registration process. ADRC facilitates the interactive process that establishes reasonable accommodations for students at OU. For more information on ADRC registration procedures, please review their website. You may also contact them at (405)325-3852 or adrc@ou.edu, or visit www.ou.edu/adrc for more information.

Note: disabilities may include, but are not limited to, mental health, chronic health, physical, vision, hearing, learning and attention disabilities, pregnancy-related. ADRC can also support students experiencing temporary medical conditions.

Religious Observance

It is the policy of the University to excuse the absences of students that result from religious observances and to reschedule examinations and additional required classwork that may fall on religious holidays, without penalty. [See Faculty Handbook 3.15.2]

Emergency Protocol

During an emergency, there are official university procedures that will maximize your safety.

Severe Weather: If you receive an OU Alert to seek refuge or hear a tornado siren that signals severe weather.

1. Look for severe weather refuge location maps located inside most OU buildings near the entrances.
2. Seek refuge inside a building. Do not leave one building to seek shelter in another building that you deem safer. If outside, get into the nearest building.
3. Go to the building's severe weather refuge location. If you do not know where that is, go to the lowest level possible and seek refuge in an innermost room. Avoid outside doors and windows.
4. Get in, Get Down, Cover Up
5. Wait for official notice to resume normal activities.

Additional Weather Safety Information is available through the Department of Campus Safety.

The University of Oklahoma Active Threat Guidance

The University of Oklahoma embraces a Run, Hide, Fight strategy for active threats on campus. This strategy is well known, widely accepted, and proven to save lives. To receive emergency

campus alerts, be sure to update your contact information and preferences in the account settings section at one.ou.edu.

RUN: Running away from the threat is usually the best option. If it is safe to run, run as far away from the threat as possible. Call 911 when you are in a safe location and let them know from which OU campus you're calling from and location of active threat.

HIDE: If running is not practical, the next best option is to hide. Lock and barricade all doors; turn of all lights; turn down your phone's volume; search for improvised weapons; hide behind solid objects and walls; and hide yourself completely and stay quiet. Remain in place until law enforcement arrives. Be patient and remain hidden.

FIGHT: If you are unable to run or hide, the last best option is to fight. Have one or more improvised weapons with you and be prepared to attack. Attack them when they are least expecting it and hit them where it hurts most: the face (specifically eyes, nose, and ears), the throat, the diaphragm (solar plexus), and the groin.

Please save OUPD's contact information in your phone.

NORMAN campus: For non-emergencies call (405) 325-1717. For emergencies call (405) 325-1911 or dial 911.

TULSA campus: For non-emergencies call (918) 660-3900. For emergencies call (918) 660-3333 or dial 911.

Fire Alarm/General Emergency
If you receive an OU Alert that there is danger inside or near the building, or the fire alarm inside the building activates:

1. LEAVE the building. Do not use the elevators.
2. KNOW at least two building exits
3. ASSIST those that may need help
4. PROCEED to the emergency assembly area
5. ONCE safely outside, NOTIFY first responders of anyone that may still be inside building due to mobility issues.
6. WAIT for official notice before attempting to re-enter the building.

OU Fire Safety on Campus

I. Course Organization: The planned organization of the course is below. Because this is the first time that I have taught this course in a 2-credit format, the reading assignments may shift over the course of the semester. Reading assignments for each class will be posted to Canvas.

CLASS	TOPIC	READINGS, ASSIGNMENTS
1 (8/27)	Introduction to Crimmigration; Immigration Basics	Read the syllabus; Chapter 1 (all); Chapter 2 (all)
2 (9/3)	Immigration Consequences of Criminal Conduct	Chapter 3: Intro through 3.11
3 (9/10)	Immigration Consequences of Criminal Conduct	3.13-3.15; 3.17-3.24
4 (9/17)	Review & catch up	Problem sets at 2.19 and 3.24
5 (9/24)	Immigration Detention	Chapter 4: Intro through 4.11
6 (10/1)	Immigration Detention	Chapter 4: 4.13-4.20
7 (10/8)	Noncitizens in the Criminal Justice System	Chapter 5: Intro-5.1; 5.3-5.10 * In prior courses, 100% of students had already read *Padilla v. Kentucky.* We will not cover the case directly, but if you haven't yet read it or need a refresher, please review section 5.2.
8 (10/15)	Federal Immigration Crimes	Chapter 6: Intro-6.10
9 (10/22)	Federal Immigration Crimes	Chapter 6: 6.11-6.17, 6.19. Note: You will need to use 6.18 to complete the problems in 6.19. You do not need to read 6.18.
10 (10/29)	Border Enforcement	Chapter 8: Intro-8.8
11 (11/5)	Border Enforcement	Chapter 8: 8.9-8.12
12 (11/12)	Interior Immigration Enforcement	Chapter 9: Intro-9.11
13 (11/19)	Interior Immigration Enforcement	Chapter 9: 9.12-9.15
14 (12/2) * Wednesday	Review	

J. Feedback: Do you have feedback about the course? Ideas? Suggestions? Comments? Please let me know!

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