

ISSUES TO CONSIDER RELATED TO BECOMING A SANCTUARY CHURCH

THE CHALLENGE

This country promises to welcome “your tired, your poor, your huddled masses yearning to breathe free, the wretched refuse of your teeming shore” but has struggled with the issue of immigration for decades. However, in very recent times the tone of the debate has changed. Now the language is hateful - Mexican immigrants are characterized as rapists and murderers - Muslims are all terrorists. Rather than loving our neighbor, we are fearing and hating our neighbor.

Not only has there been hateful language, but there has been hateful action. Unlike the prior administration where only limited groups were targeted for deportation, the Trump administration has effectively made everyone without papers a “priority” for deportation." (Reported in the Economist Magazine, Feb. 25, 2017, p 24) No class or group, including Dreamers or the parents of Dreamers, are exempt from deportation.

Ten thousand additional ICE personnel and five thousand more Border Patrol Agents are to be hired, a network of detention facilities constructed, more judges appointed, and the definition of "criminal alien" to be expanded to encompass hundreds of thousands, and perhaps millions of individuals. These are active measures intended to dehumanize and criminalize the entire immigrant community.

The Trump administration has attempted to ban Muslims from this country. While these efforts have been met with legal challenges and roadblocks, they have succeeded in making all Muslims, including those here legally, afraid.

The children of immigrants are afraid to go to school for fear their parents might not be there when they return. Parents are afraid to sign their children up for free and reduced price lunches or food stamps for fear that seeking a government program will subject them to deportation. In Houston immigrants without documents would not seek shelter, even after the Mayor assured them that no one would ask for papers.

These government actions **taken in our name** are chilling, and are producing a climate of intimidation, fear and panic among immigrants. These actions could not be further from our values as a nation and as a church. In this time what is our role as a church? What do our values, our morals call us to do?

BACKGROUND

On March 12, 2017 Thom gave a sermon on sanctuary and invited all who were interested to attend a meeting the next evening. A total of 21 people came to the first meeting including representatives of Community Service,, Standing on the Side of Love and Peace and Justice Ministries. That first evening the group decided to contact other faith communities and groups working with immigrant and refugee communities to determine the scope of the problem locally, what is being done, and what is needed. Over 20 groups were contacted and reports given at subsequent meetings. In addition this group, now called the Sanctuary and Immigrant Support Ministry, has participated in a number of immigrant and refugee programs and has made specific plans with other congregations including Binkley Baptist Church and Kehilleh.

WHAT IS SANCTUARY?

Sanctuary is a way to be in solidarity with the undocumented community by creating safe spaces for the voices of immigrants to be lifted up as we together confront unjust laws. A church that declares itself a Sanctuary congregation is one willing to engage on a spectrum of solidarity actions including welcoming undocumented people, advocating to help stop deportations, assisting the immigrant community, and physically sheltering an immigrant in danger of immediate deportation. Sanctuary is one way for faith communities to resist destructive and racially charged policies.

The concept of sanctuary has evolved from the earliest times of all the world's major religions. The ancient Hebrew people allowed temples and even whole cities to declare themselves places of refuge for persons accused of a crime which they may not have committed. Later, during the medieval period, the English common law permitted an accused felon to seek sanctuary in a church.

In the United States there is no law that prevents law enforcement from entering places of worship, but there is and has been symbolic protection. Sanctuary has been used for the Underground Railroad, for the protection of conscientious objectors, for Viet Nam objectors, for immigrants from Central America in the 1980s, to the current crisis. Churches have always been at the core of these efforts.

The current sanctuary movement began in 2007 and now includes 63 Unitarian Universalist congregations.

THE LEGAL STATUS OF SANCTUARY

Most actions taken in support of Sanctuary are not likely to incur any possibility of criminal prosecution. However, inviting someone who is subject to a deportation order to take refuge in a congregation could subject individuals to arrest. A 1983 Justice Department analysis called "Church Sanctuary for Illegal Aliens" concluded that churches do not enjoy legal protection in efforts to provide sanctuary, and that attempts to do so are in violation of 8 U.S.C.

1324(a)(3), which forbids the harboring of aliens. The analysis states that, "A search of both federal and state case law has revealed no case recognizing church sanctuary as a legitimate barrier to law enforcement." But tellingly, it also concludes that, "...the continued existence of 'sanctuary' depended entirely upon the authorities' desire to avoid a confrontation."

The political repercussions of prosecuting faith leaders and congregations and the fear of negative press coverage, has made actual enforcement and punishment rare. In the 80's eight individuals working through a church in Tucson Arizona were charged with smuggling, transporting and harboring undocumented immigrants. In this case, three of the defendants were acquitted and the remainder received sentences of probation.

Under the Obama administration the Immigrations and Custom Enforcement (ICE) agency adopted guidelines that consider churches, schools and hospitals to be "sensitive locations". ICE will avoid these locations unless there are "exigent circumstances". In November, 2016, ICE announced that it intends to adhere to existing guidance to avoid the apprehension of individuals at sensitive locations. However these guidelines can easily be changed.

HOW DOES SANCTUARY ACTUALLY WORK?

Use of actual physical sanctuary in North Carolina has been relatively rare, but this could easily change under the current administration. In this area there are a number of groups that evaluate potential candidates for sanctuary. Most cases occur when a lawyer or legal clinic identifies an individual who has been working unsuccessfully to stop his/her deportation. Before a person is referred to sanctuary, the legal screening process has determined that the person is probably eligible for some sort of stay of removal, order of supervision, or other form of relief. Sanctuary, in these cases, provides time and opportunity to mobilize a legal defense, to draw media attention to the case, and to organize various types of support for the case (letters, testimonials, public witness statements, etc.). The best case scenario is that the individual does have some prospect of legal relief and that the period of sanctuary is relatively brief. However, even in these cases individuals can remain in sanctuary for an extended period of time.

The worst case scenario is that the person has had no contact with immigration-related legal counseling, that they may have no reasonable prospect of relief, and that they show up on the doorstep unannounced and unplanned. However, a decision to become a Sanctuary church does not commit the congregation to accept anyone who comes and allows the group to work through the existing organizations to evaluate candidates for sanctuary.

WHAT IS INVOLVED IN OFFERING SANCTUARY?

The promise of sanctuary implies that we develop the capacity to offer protection and accommodation. The concept of sanctuary requires that the actual space be on the church property but in an area not generally a public space. Public spaces include the sanctuary and the community room, but not classrooms. At a minimum the space must be large enough for a bed and a table and chair. There needs to be access to a bathroom and shower. Access to a

kitchen or a simple hotplate and small refrigeration is needed. There needs to be internet and cell phone service and preferably TV service to help pass the time. The downstairs area of the manse could meet these requirements with access to the kitchen when others are not using the upstairs space.

Just as importantly, we would need to provide support during a time of high stress and vulnerability. We would need to develop a robust and flexible support team to provide friendship, counseling, material and perhaps financial support. There may be a need to provide a round the clock presence in order to discourage any unannounced ICE visits. All of the other UU congregations in the area have agreed to assist any UU congregation that does provide physical sanctuary. In addition representatives of Khalilah have indicated that they would support this effort as well.

ALTERNATIVES TO BECOMING A SANCTUARY CHURCH

Should we decide not to become a Sanctuary church, there are many things we can do to support the New Sanctuary movement short of actually offering physical sanctuary. Most immigrants without documentation have been here for a substantial period of time. They live and work among us and have developed many systems and institutions for mutual support: churches, credit unions, recreational groups, neighborhood associations, child care arrangements, radio stations, and kinship and friendship networks. The very first line of defense in the present immigration crisis, therefore, should be the support and development of these already existing resources and institutions.

The Sanctuary and Immigrant Support Ministry is already working to strengthen our ties to these groups working with the immigrant community. In this work some specific areas that need support have been identified:

1. Additional support is needed for the local food banks because immigrants are using them since they are reluctant to use the school lunch program and food stamps;
2. Tutors are needed for immigrant children and adults. The Ministry intends to establish a system to connect church members with tutoring opportunities;
3. Muslim women need the ability to safely leave home during the day and to meet other Muslim women. Working with Binkley Baptist Church we are trying to establish a monthly lunch with an opportunity to also stop at a grocery store;
4. There is a need over the next six months for visits to Washington DC in order to personally visit our Senators and Representatives and urge the passage of a DACA replacement;
5. There is always a need to take a public stand through letter writing, op- eds, and demonstrations in support of immigrant rights; and

6. We can continue to support a broad network of organizations supporting immigrants and, in particular, support any congregation that is offering physical sanctuary.

WHAT SHOULD WE DO?

We should continue to work with a community-wide interdenominational sanctuary movement and we should consider whether CCCH should become a Sanctuary Church .

The UUA's Sanctuary Movement asks us to pledge:

As people of faith and people of conscience, we pledge to resist the newly elected administration's policy proposals to target and deport millions of undocumented immigrants and discriminate against marginalized communities. We will open up our congregations and communities as sanctuary spaces for those targeted by hate, and work alongside our friends, families, and neighbors to ensure the dignity and human rights of all people.

As a congregation we must investigate the issues and decide whether to take this pledge..

Respectfully submitted,

The Sanctuary and Immigrant Support Ministry

This document relies heavily on and frequently quotes verbatim the Sanctuary Toolkit which was created by a number of congregations and groups that make up the New Sanctuary Movement. It was updated by the UU College of Social Justice, UU Refugee and Immigrant Services and Education and Church World Service for use by all faith communities. The Sanctuary Toolkit can be found at

<http://www.sanctuarynotdeportation.org/uploads/7/6/9/1/76912017/interfaithsanctuarytoolkit.pdf>

