

Upholding Sanctuary in the Faith Community

2017

“When a stranger resides among you in your land, do not mistreat such a one. The stranger residing among you must be treated as your native-born. Love the stranger as yourself for you were strangers in the land of Egypt.”

--Leviticus 19:33-34

Introduction

Sanctuary honors the great tradition of hospitality for people experiencing hate, violence, persecution, profiling and fear. It is a concrete offering of love and support in a time of crisis. It recognizes the sanctity of our worship spaces and extends a welcome into those spaces to persons who may choose to benefit from moral and physical support for a period of time (defined mutually). It widens the circle of community and strengthens the interconnection among diverse peoples.

Sanctuary also is a public declaration in faith that challenges scapegoating and dehumanization of people considered “other” and embodies the alternative, compassionate way of loving our neighbor as ourselves. It seeks to keep families and loved ones together and confronts a regime of raids, massive detention and deportation. It seeks to overturn unjust laws and honor a higher, moral law that all people are holy, have a fundamental dignity and belong fully and inclusively at our tables and in our communities. We open our doors as a matter of faith that does justice when refuge and protection are needed. Sanctuary is a solid foundation for joining new relationships in love while upholding truth, human rights, and the common good.

What is Sanctuary?

An Ancient Tradition of Faith Communities

Sanctuary is one of the most ancient traditions that we have as a people of faith. The ancient Hebrew people had allowed temples and even whole cities to declare themselves places of refuge for persons accused of a crime they may not have committed, a practice that allowed those wrongfully accused to escape swift and harsh retribution until the matter could be resolved. In the late Roman Empire fugitives could find refuge in the precincts of Christian churches. Later, during the medieval period churches in England were recognized sanctuaries, offering safe haven for a temporary period to accused wrong doers. In the United States the first practical provision of anything like sanctuary occurred in the years before the Civil War. The Underground Railroad came into being to help slaves flee the South and find safety in many congregations throughout the country. Sanctuary is about providing safe space to those who are victims of unjust laws.

Sanctuary Movement and the Immigrants’ Rights Movement

The Sanctuary Movement in the 1980s

When refugees from the Civil Wars in Central America began to flee to the United States in the 1980’s, the U.S. government did not recognize them as political refugees. Many were deported and received by death squads upon their return. From this dire injustice, the Sanctuary Movement was born. It peaked with over 500 congregations establishing an underground (and overground) railroad whereby refugees move through the United States to safe houses and safe congregations. Some religious leaders in the Tucson area were indicted, convicted and sentenced to probation for their involvement in assisting Central American refugees. After the trial, the Border Patrol in the area made a decision not to pursue apprehensions in a house of worship. The Sanctuary Movement sought to remind the United States

government of the reasons for which its own asylum and refugee laws were created, which they failed to apply justly and equitably when it came to the refugees of Central America.

The Tradition of Sanctuary Continues

People of faith from all traditions have called on Congress to pass immigration reform since at least 2003, yet Congress failed to move forward on meaningful legislation. For example, faith communities throughout the United States participated in the Immigrant Workers Freedom Ride in the fall of 2003. Meanwhile, the raids, detention and deportation (“enforcement only”) machinery grew stronger during the course of the George W. Bush presidency. In 2007, an initiative known as the New Sanctuary Movement took shape with coalitions of congregations in major cities throughout the country. As work place and neighborhood raids escalated, these congregations opened their doors to provide refuge to those facing deportation.

While seeking long-term Comprehensive Immigration Reform, the Obama Administration continued massive deportations with a rate at its height of more than 1,100 people being deported every day. The organizing efforts of undocumented youth in 2012 pushed the administration to create the Deferred Action for Childhood Arrivals (DACA) program, which has allowed close to a million undocumented students to travel and work legally.

In the summer of 2014, an influx of unaccompanied children and families fleeing violence in Central America’s Northern Triangle began presenting themselves in greater numbers at the U.S.- Mexico border seeking asylum. Many of these children and families lost their asylum cases because they were unable to find legal counsel or due to “rocket dockets” that were meant to expedite trials but in reality denied due process. These children and families should have the opportunity to appeal their case with adequate representation.

The overall deportation numbers of fiscal year 2015 was 235,413 significantly lower than the 2012 all-time high of 409,849, in part as a result of prosecutorial discretion and deferred action, as well as interior enforcement in Mexico.

In 2014 a resurgence of the Sanctuary Movement began out of need in the community to stop deportations at a case-by-case level. In May of 2014 Daniel Neyoy Ruiz took Sanctuary in Southside Presbyterian Church in Tucson Arizona, the same church that helped nearly fifteen thousand political refugees escape the tragic civil wars in Central America during the 1980s. Daniel won a stay of removal after 27 days of living in Sanctuary. More immigrants facing a deportation order looked to congregations in their region to take refuge and fight to keep their families together. Over the next years more than a dozen people came forward to take refuge in Sanctuary, the majority were able to win a stay of removal or an order of supervision within several months.

This resurgence of the Sanctuary Movement has created a platform to raise up faithful, prophetic and moral witness while at the same time lifting up the stories of those leaders who showed great courage to speak out against the injustice of deportation. This surely continued to the public pressure leading to

the Obama Administration's announcement of the President's Executive Action on Immigration on November 20th, 2014.

Now the Sanctuary Movement again is playing a critical role in responding in the post-election reality wherein fear, discrimination and xenophobia has taken a new precedent in our countries politics. With the promise of the Trump Administration to deport millions, as people of faith we have a moral responsibility to act. Sanctuary is a tool that helps raise consciousness about the injustice of these aggressive efforts by offering our neighbors who face possible deportation safe refuge and sanctuary in our congregations.

The Trump Administration may try to preempt due process for asylum seekers and other people with potential legal remedies and deport them without a hearing. We will have to stand up and protect the right to asylum, lawful respect for refugee status and affirmation of residency rights, and ensure that all who seek to have their case heard can access legal assistance with enough time to prepare the case. The Sanctuary network will be extremely important in supporting asylum seekers, people seeking residency, and households at risk of deportation and family separation from a variety of nations.

What does sanctuary entail?

Sanctuary is a journey, a stepping forward in faith, community and solidarity. As part of the "arc of justice," it is an important, enduring commitment, even in the context of moments of urgency. Congregations ought to take the time necessary to prepare adequately, to ask questions, to hear concerns and to understand the commitment it is undertaking. There is risk involved in every extension of our congregation's boundaries whether in service, relationship-building, justice-seeking or sanctuary. A lens with which to view preparation for sanctuary is the "encouragement of full, active, and conscious participation of a faith community."

The public aspect of the Declaration of Sanctuary is critical. It is by bringing attention to the case, mobilizing the community, and advocating for the individual that we are able to successfully get cases closed. We encourage every community of faith to enter into a time of prayer and discernment so that when cases arise, they are ready to act. Once a congregation has made the decision to declare Sanctuary for an individual it is publicly announced at a press conference and prayer vigil, at which time the individual and their family enters into the premises of the house of worship. The individual in need of Sanctuary remains at the house of worship until they are granted a stay of deportation. Of course, an individual may decide at any time to leave Sanctuary for any reason and should have the full support of the community to do so. Living within Sanctuary is not an easy thing; the financial cost of not working, the media attention, and the strain on a family can all be burdensome.

Who are those seeking Sanctuary?

Any number of situations could lead to the request for sanctuary. For this reason, immigrants who seek sanctuary may emerge through local community contacts, organizations, or recommendations by

community members. Sometimes, Sanctuary cases begin with a community member, lawyer or legal service clinic who identifies someone who has been working to stop their deportation order without success or who have otherwise expressed the need for refuge. Those who enter into Sanctuary most often are seeking a stay of removal, order of supervision or some other form of administrative relief. Often, the possibility of families staying together, or intact, is at stake. Each case is different, has its own unique circumstances, and needs to be entered into with openness and respect for the integrity of all.

The legal or community contact then consults with Sanctuary organizers and involved congregational leaders to begin a conversation about a potential Sanctuary case. Ideally this happens months in advance, but sometimes the individual comes to a legal clinic or local organizers in the 11th hour, requiring a congregation to act quickly.

What is the process for deciding to become a sanctuary congregation?

Each congregation is urged to honor the decision-making process (discernment, consideration of options) that is the norm for its congregation. Stakeholders and committees need to be consulted. Usually, there is a process of education, review of logistics, considerations of financial and legal implications (especially that of people who may be offered hospitality), timing and capacity to make a priority commitment to sanctuary. Typically, the process can last anywhere from 3 months to 9 months, although a rapid-response "go-to" congregation may act more quickly. See below for a typical course of discussion (not including Know Your Rights training and handling emergencies).

Becoming a sanctuary congregation is a process. Education of the congregation is part of that process. Consideration of your faith's tradition of hospitality and of social justice, logistics, legal and financial implications, capacity, and ability to prioritize this commitment are all to be considered. This guide is meant to assist with areas for discussion and discernment. In addition, understanding current issues pertaining to immigrants and refugees, public policy, working across cultures, previous experiences of sanctuary, interfaith relations, and the history in the U.S. of standing with our neighbors are all relevant and helpful. The process can be as short or long as befits the congregation, depending on time, energy and the availability of resource people to consult. Or, for congregations interested in short-term or temporary refuge or sanctuary, the process may take a much lesser amount of time. Each congregation should adapt a process and do what is best for your own community.

Advocacy

One of the most important aspects to Sanctuary is the advocacy that we do on behalf of an individual, as well as for general community protection. In partnership with legal service providers and immigrants' rights organizers a strategy is developed and a multitude of different people are identified as the focus of our efforts, local ICE field office, ICE headquarters, Department of Homeland Security and the White House in general. They and other members of the administration are the focus of phone calls and letter writing. There is also a great deal of work organizing a broad base of support for the individual as well as finding key allies. Often the City Council, members of Congress as well as local religious leaders are

approached to use their power and influence to get the individual's case closed or successfully adjudicated and to highlight the need for due process for all.

Leadership of Residents in Sanctuary

The people who opt to take Sanctuary are putting everything on the line and are often risking a great deal for the benefit of the larger movement; their leadership, their voice, their opinions and wisdom should be prioritized at all times. They should be involved in every aspect of the campaign as they choose to be. Sanctuary is hard work and requires great sacrifice - if at any time a family wishes to leave Sanctuary, their wishes should be respected and celebrated. We should always remember that Sanctuary is not something that we do for our undocumented brothers and sisters; it is something we do *with* them. This is a great leadership development opportunity for those taking Sanctuary, please share leadership development resources, as you are able with the broader network.

What are the logistics of Sanctuary?

Living Arrangements

Ideally, the family will have space on the grounds of the house of worship that will not be used for any other purpose for the duration of Sanctuary. They should be encouraged to arrange the room in whatever way they would like and to make it as much like home as they can. Easy access to showers, bathrooms, and a kitchen should be considered in designating a space for the family (sometimes showers will need to be configured in some way for those locations without permanent showers).

While ideally housing will be on the site of the congregation (or on its campus), there may be space in a building or apartment under the jurisdiction of the congregation. Providing a safe space while allowing for privacy is a key. If duration of time is a factor, for example, because of a planned use of the space in the future, then that time frame should be made clear to all parties at the beginning of the hospitality. It is recommended that evaluation of how it is going and extension of sanctuary be made at regular intervals, for example, every 3 months. What the individual or family deem best for themselves needs to be held up as the highest priority.

Because the entire purpose of declaring Sanctuary is to keep a family together, the entire family is invited to stay at the house of worship. While the individual(s) living in Sanctuary do not leave the premises (except by clear, conscious choice), the family may opt to come and go as they choose. At times visitors and media can overwhelm the family. They should be encouraged to establish whatever boundaries they need.

Congregational Support

Sanctuary often involves many in the congregation and community. As such, congregations need to embrace affirmatively the sanctuary that they are offering, with broad enough commitment to accompany a household that takes sanctuary. As the saying goes, "It takes a village." While legal remedies will typically be sought for a household in sanctuary, the fluidity of policy changes and

changing legal interpretation based on these changes can create much stress and anxiety for families and for immigrant and refugee communities at large. Sanctuary at its best helps to reduce fear and lay the seeds for a path forward as the family designates for itself.

Demonstrating a Spirit of Accompaniment

Families living in Sanctuary are often in need of support in a multitude of different ways. Most importantly they need the support of our friendship - so plan game nights, hang out with them, do what you can to make them feel at home and a part of your congregational family. It is also important that they are able to retain some normalcy as a family - enabling them to cook for they can help with this. Being in touch with extended family members will also be important. You may find that congregation members will want to show their love and support by bringing food, which may be helpful a few nights a week, but it is important that the family is able to care for themselves and control as much as possible in a situation that is very much out of their control. Instead of bringing meals, encourage people to bring food that they can cook with.

Financial Contribution

The host congregation will incur expenses with the provision of sanctuary. Ideally, this will be budgeted for. Costs include: updating rooms for shelter, heat, other utilities, food, legal advice for the individual or family (if not provided pro-bono), interpretation. It could include the equivalent of rent if space was otherwise leased. Local congregations can collaborate in defraying the costs. The congregation ought to ensure that basic needs are taken care of. Individuals and families have a strong desire to be self-sufficient, so sitting down and talking through what is needed is a priority. Experience has shown that families in sanctuary have made indispensable contributions to the life of the congregation and community through their skills, talents and willingness to share their stories and hopes for the future. A congregation should also receive the benefit of an attorney they can consult on behalf of the congregation.

There may also be the need for financial support, particularly if the individual in Sanctuary normally works. People should be encouraged to give to the family, either directly or through the house of worship (these donations to benefit an individual are not tax deductible). Care should be taken to respect the authority of the family in these situations. It is difficult for all of us to be in a situation where we have to depend on others. We have often reminded individuals that by being in Sanctuary, they are engaged in hard work; both for their families but also for the movement and that work should be recognized and, if agreed to, compensated.

Legal Considerations and Being Prepared

Officials in the Trump Administration have made clear that expansive and comprehensive enforcement actions will take place. The recent executive actions suggest that people who *could be* charged with a crime could be subject to apprehension. New priorities for potential apprehension include people who in the judgement of an immigration officer could pose a risk to public safety or national security. These are major changes from the Obama Administration, whose directives placed priority on arresting people who have committed certain felony offenses. Regarding approaching churches, synagogues, mosques and temples under the Obama administration, the practice was the following:

“It is the practice of immigration officials and law enforcement agencies to respect the sanctity of houses of worship by not coming on their property for the purpose of apprehending an individual who has an order of deportation.”

A declaration of sanctuary, under the Trump administration, may very well not deter immigration officials from seeking to apprehend individuals including in houses of worship. The concept of sanctuary, which we believe to be an upholding of faithful, religious practice, is – at root - a moral stance in defense of human rights. While a faith community may not be immune to a “raid”, the solidarity of hosting a family or providing a safe gathering space in case of a raid is one that is a direct expression of the First Amendment, a challenge to unjust policies, and a commitment to community well-being and the common good. Sanctuary, whether long-term or short-term, also represents a place, a sacred space at a threshold time, where community members feel safe, can gather themselves, stay united as families, and seek their rights before the law.

Given the commitment to households and individuals in sanctuary, preparation for various scenarios, including enforcement by immigration officials at a sanctuary, is imperative. To this end, a basic Know Your Rights training is necessary for members as well as impacted community participants. Developing a plan for on-site support of a family, including a rapid response team, is important. Key committees will want to be aware of how to handle any potential actions directed toward the family and have a rehearsed communication plan for internal and possibly external use.

Legal Questions, More Specifically

Sanctuary can be seen as upholding the law in terms of protecting basic human rights (providing refuge where there is a risk of violence, persecution, tearing apart of families and even death) – in keeping with the best American traditions - and religious freedom. The question, “Are we breaking the law?” is frequently asked. There is a law against bringing in and harboring persons not authorized to be in the U.S. While some courts have interpreted harboring to require concealment of a person, when Sanctuary is declared for an individual we are bringing them into the light of the community (U.S. V Costello, 66 F.3d 1040, 7th Cir. 2012). Other courts have interpreted harboring to be simple sheltering (U.S. V Acosta de Evans, 531 F.2d 428 (9th Cir. 1976)). While we are clearly not bringing people in and we are openly and publicly declaring our commitment, the potential interpretation of the current administration may be different, even if this conflicts with the Constitution and our right to the free exercise of religion.

Please see the New Sanctuary Movement Legal Toolkit for a more thorough discussion and preparing your congregation to understand the potential implications of its choices in offering hospitality in differing circumstances. <http://lynnhopkinsgroup.com/Toolkit1.pdf>.

Insurance Questions

The General Liability Insurance should cover any mishaps that could occur while someone is living in Sanctuary. Nationally, the movement has not seen any incidents wherein a congregation had to make an insurance claim, however, if you would like to talk with your insurance company please do.

Training other Congregations (Support Congregations)

Instead of a congregation feeling it is alone in taking on the work of Sanctuary in a particular area, it is important that other congregations also show support. Coalition congregations join together in advocacy efforts, joint sign-on letters, logistical support, vigils and cooking. Having other congregations engaged creates training opportunities for leadership from other congregations to become accustomed to the work of Sanctuary, an experience they can bring back to their congregation as they prepare themselves for a future opportunity of offering Sanctuary.

Process for Considering Becoming a Sanctuary Congregation

Areas for Review and Reflection as Part of Decision-Making: Units for Group Discussion

1. Unveiling current reality: executive orders, possible DACA non-renewal, expanded raids, detention, deportation, denial of due process, multiple communities at risk
2. What does our faith say about immigrants and refugees? What is a compassionate response in support of people who experience or at risk of actions towards them of hate and violence?
3. History of sanctuary: a brief synopsis
4. What does sanctuary look like? Why is a congregational commitment important?
5. Logistics to consider in becoming a sanctuary:
 - Space, residence
 - Community members who can offer moral support, general accompaniment (errands, visits, appointments when applicable, connecting with family members)
 - Financial: what will it cost to sustain a family each month; what additional expenses each month will the congregation incur?
 - Creating a network of supporting congregations
 - How legal support will be provided
 - Does the congregation have the capacity for ongoing relational support? To be public? Visible? Does your denomination require their consent? How is staff prepared? How will emergencies be handled?
6. What resources are needed to educate the congregation? In what time frame?
7. What decision-making process does your congregation employ? What stakeholders and committees need to be consulted? What steps need to be taken toward a congregational discernment and vote?
8. How do we go about getting legal advice for my congregation? Are there any insurance questions? Who will provide legal assistance for the individual or family in sanctuary?

9. Who are we able to host? What lead time do we need? What are our unique characteristics?
10. Form a coordinating committee. Share out roles and responsibilities.
11. How do we stay in touch with other congregations?
12. Make a formal decision to become a sanctuary congregation, in the manner that fits your particular faith community.

Sanctuary Goals and Strategy

As faith communities, we are called to accompany our community members, congregants and neighbors facing deportation. By offering sanctuary we can offer solidarity in individual cases, advocate to stop deportations, and make it possible to win deferred action at a case-by-case level to keep families together.

Amplify the moral imperative to stop deportations by lifting up the stories of sanctuary cases and ensuring the prophetic witness of the immigrant taking sanctuary is heard at the national level.

Work alongside undocumented students to defend the Deferred Action for Childhood Arrival program (DACA).

Support local work to defend Sanctuary cities or local detainer policies and push back against unjust enforcement policies such as the priority enforcement or 287(g) programs.

Participate and help create protection networks to provide know your rights education, sanctuary space, legal assistance, housing assistance, family planning and bail support funds.

Stop attempts to increase criminalization or mandatory sentencing for immigrants.

Defend asylum seekers by pushing back against expedited removal and helping provide critical resources such as legal assistance so they can defend and win their case.

Talking Points/ Messaging

General Talking Points:

- As the faith community, we are doing what Congress has refused to do: protect immigrant families from an immigration system that is separating families and deporting people who are woven into the fabric of their communities and congregations.

- Immigrant communities are very concerned about the proposed policies and Executive Orders of the Trump Administration, and the community is ready to stand up against their implementation. The role of the faith community is to walk in solidarity and accompany immigrant leaders in this struggle for civil and human rights. We are preparing to build out our movement for Sanctuary and we will stand together to resist unjust policies and stand with immigrants and refugees at risk.
- The intention to focus on immigrants who are even suspected of having committed a crime is designed to criminalize the entire immigrant community. Undocumented immigrants might have an immigration related conviction or they may have been targeted by elements of law enforcement that may be racially biased and/or focused on low-income people of color.
- We know that Sanctuary Cities or limited detainer policies actually create a safer community for all people, so that law enforcement can try and build trust with the immigrant community and protect all community residents.
- We are seeing a widespread and growing commitment by faith communities to provide Sanctuary to our community members who will need Sanctuary because of the harsh policies anticipated from the new administration.
- As our congregations open their doors to provide Sanctuary we stand in solidarity with immigrant leaders fighting to keep all families together, regardless of immigration status.
- Detention and deportation has become largely a privately-run, profit-making business that is feeding the prison industrial complex and a small group of corporations with billions of dollars.
- We are calling on the Trump Administration to protect the Deferred Action for Childhood Arrivals program that has benefited nearly a million undocumented youth.
- Resources would be better spent expediting the processing of applications for families to be reunited and to provide legal representation to those who have been unable to obtain assistance.
- In the ongoing efforts to change hearts and minds, we will seek to ensure that the Trump Administration listens to the voice and stories of immigrant leaders who deserve justice, not deportation.

Know Your Rights

It is imperative to educate all immigrant communities on Know-Your-Rights resources. The most important information is DON'T OPEN THE DOOR to Immigration and Customs Enforcement (ICE), police or anyone else if they do not have a warrant signed by a judge.

[AFSC- Know Your Rights- Conozca Sus Derechos](#)

[United We DREAM Know Your Rights](#)

[Guide to sharing your story of rights abuses, raids and deportation](#)

Video: <https://www.youtube.com/watch?v=XC2NgdEgD94>

Report When a Raid Is Happening:

HOTLINE: 1-844-363-1423

TEXT ALERTS WATCH ICE: 877877

Some materials drawn from "Sanctuary Not Deportation: A Faithful Witness to Building Welcoming Communities." Revised and expanded by the Church Council of Greater Seattle, info@thechurchcouncil.org.