

For I was hungry...

I was a stranger...

matthew

I was in prison...

...least of these, you did to me.

Matthew 25 Movement Immigration Toolkit

For the Lord your God is God of gods and Lord of lords, the great God, mighty and awesome, who shows no partiality and accepts no bribes.¹⁸ He defends the cause of the fatherless and the widow, and loves the foreigner residing among you, giving them food and clothing. And you are to love those who are foreigners, for you yourselves were foreigners in Egypt.

—Deuteronomy 10:17-19



Why Might Immigrants Need Our Protection and Defense?

Most of us know that our immigration system is ineffective. A step closer, and you can see it is illogical, out of sync with our actual economic needs. Even closer, you can see that it is inhumane, regularly breaking apart families. Although we have had multiple bipartisan proposals to fix the system, we have been unable to pass reform legislation. As a result, federal regulations and state/local legislation have been developed to compensate for the problems with the system and to provide basic protections for immigrants who are contributing members of our communities. For example:

- Five statewide laws or policies, 514 county policies or ordinances, and about 38 city-level policies create some barrier between Immigrations and Customs Enforcement and other forms of law enforcement. (www.ilrc.org/detainer-map). Courts have ruled repeatedly that it is unconstitutional for ICE to demand that local law enforcement hold anyone for the sole purpose of immigration enforcement. The legal right for law enforcement not to ask or disclose immigration status encourages immigrants to give information about crimes without fear.
- An Executive Action by President Obama, Deferred Action for Childhood Arrivals (DACA) allows certain young people brought to this country as children to have temporary protection from deportation and work permits, on a two-year renewable basis.
- The 2010 Morton Memo of the Department of Homeland Security recommends that ICE focus its enforcement priorities on threats to public safety or national security, granting low-priority immigrants temporary protection from deportation on a case-by-case basis.

- The Sensitive Zone policy bars ICE from entering houses of worship, schools or hospitals (except with a judicial warrant based on evidence of crime.)
- Asylum-seekers, running from violent persecution in their country of origin, have been increasingly released with electronic monitoring so that they can pursue legal representation. (Asylum-seekers are not automatically provided lawyers, even if they are unaccompanied children or youth.)

These federal regulations are likely to be revoked and the local laws penalized, leaving undocumented individuals and families vulnerable to the full brunt of a broken immigration system which metes out punishments tragically disproportionate to offenses, ignoring immigrant contributions.

Defending and Building Local Safety Nets:

- ✓ Wherever local legislation creates a firewall between law enforcement and ICE or when such legislation is potentially possible, churches and ministries can join local coalitions to support these protective policies.
- ✓ Local legislation can also create public-private partnerships to leverage more funding for legal representation.
- ✓ Local ICE Field Office Directors have the authority to set policy for their jurisdiction on prosecutorial discretion for deferred deportation and sensitive zones. Churches and ministries can reach out to and advocate with ICE Directors to establish policies that allow immigrant families access to these protective remedies. (For ICE's own justification for these



policies, www.ice.gov/doclib/news/releases/2010/civil-enforcement-priorities.pdf)

Using Local Safety Nets:

- ✓ Churches/ministries with immigrants can help immigrants to prepare deferred deportation packets so that they are prepared if they are detained to apply for that status. (See Prosecutorial Discretion for Deferred Deportation packet)
- ✓ Churches/ministries can advocate for individuals and families to obtain deferred deportation, writing support letters and attending hearings
- ✓ Churches/ministries can help immigrants find and fund affordable, ethical and effective legal representation. (ImmigrationLawHelp.org or Catholic Charities are good places to start.)
- ✓ Immigrant churches and non-immigrant churches can work together with immigration lawyers to lower and post bond for release from detention, promising to accompany the immigrant while the court case continues.
- ✓ Churches/ministries can receive a 40 hour training from World Relief (worldrelief.org) for certification to assist immigrants with specific legal issues

Emergency Support:

- ✓ Immigrants confronting ICE need to know their rights. They can refuse ICE entry (without a judicial warrant), remain silent and refuse to sign documents without a lawyer present. For Know Your Rights Cards, http://www.ilrc.org/files/documents/kyr_no_phone.pdf
- ✓ Immigrant parents can prepare notarized instructions for churches/ministries to care for their children in case of detention.

✓ Neighborhood-based rapid response networks can allow churches/ministries to arrive in time to document and pray, discouraging abuse and perhaps even stopping detention. (see www.sanctuaryphiladelphia.org for one group's detailed strategy)

✓ Immigrants can live temporarily in churches, allowing for some degree of protection while other remedies are sought. This is commonly referred to as the practice of providing sanctuary, rooted in the Cities of Refuge provisions in Numbers 35 which give God's remedy for situations in which the response to a legal violation is unjust punishment.

For toolkits on sanctuary, www.sanctuarynotdeportation.org is the website of the national association of interfaith sanctuary coalitions. Sanctuary coalitions have also carried out "cyber-sanctuary" which allows a group of congregations to send a letter to ICE stating that an individual or family is in sanctuary with them. If that person is then picked up by ICE, they have been able to go down to the detention center and successfully apply pressure through prayer vigils and other actions for that person's release pending their deferred deportation or asylum application.

While the act of physical sanctuary could potentially be construed as breaking the law, there are numerous legal defenses, including a defense based in the separation of church and state (giving the church the right to minister to anyone regardless of immigration status.) No church has ever been successfully prosecuted for harboring undocumented immigrants.

Allies:

It helps to do these activities in collaboration with allies:

■ Communicate with the New Sanctuary Movement to find out if there is already a sanctuary coalition in your community. (sanctuarynotdeportation.org). Matthew 25 churches and sanctuary coalitions can work well together.



■ If there is not a coalition in your community, start by building relationships with immigration lawyers and immigrant rights associations. You can work with these organizations to build a protection network.

■ Identify other churches that will work with you. The most effective coalitions have immigrant and non-immigrant churches working together. Different churches can provide different resources and kinds of support.

Preparing and Discerning:

Every church/ministry needs to discern how to live out the pledge to protect and defend. See the attached guide for suggestions on a discernment process.

Underground Railroad-like Activities?

We do not yet fully know what the new administration will do. There may be areas of the country that are very dangerous for immigrants -- where the local Field Office Director ends the deferred deportation and sensitive zone policies, and where local police enforce immigration law. There will also be areas that are safe zones, where the local ICE Office upholds these policies and the municipality does not allow the local police to enforce immigration law. Different responses may be needed in each case:

✓ **Sending Cities:** If you are in a city where Dreamers and other immigrants are in danger of sudden deportation without any other recourse, you may want to host these immigrants for a short time period and then send them to a more welcoming city. This has historically been called an Underground Railroad. Transporting undocumented immigrants is illegal under the laws of the land; it may be legal under a higher law.

✓ **Receiving Cities:** If you are in a city which is standing with immigrants, you may want to choose to welcome immigrants arriving on the Underground Railroad and help to resettle them. This comes under the heading of ministry and is not illegal. We have time-honored mechanisms for refugee resettlement by churches which can be used in this way.

DISCERNMENT

How to listen to God's call to support immigrants... together.

Perhaps you have several people in your congregation who are excited about supporting and accompanying vulnerable immigrants -- but not everyone is on board. This resource may help a whole congregation work together to better understand the call to join the movement, and discern together how to be involved.

1. Begin with a circle of people praying regularly about the best way to approach this issue with your congregation.
2. Offer an educational opportunity (Adult Sunday school, small group session, book study, etc.) to learn together about why the immigration system needs to be challenged. For suggested resources, visit evangelicalimmigrationtable.com. Also review the resources on sanctuarynotdeportation.org to understand why a congregation would provide the ultimate level of protection and defense.
3. Have a congregational meeting that gathers members in small (6-ish person) circles - an opportunity for everyone to voice their fears, excitement, etc. Each circle has a note-taker (and notes are shared with the group and then with the leadership team who has the final "say" in the congregation's involvement), and follows the guidelines of a Listening Circle to answer these questions:



- What excites you about participating in the Matthew 25 Movement for immigrants?
- What are your fears?
- What do you need more clarity about?
- What are you willing to do now?

4. If needed, the congregation commits to 40 days of prayer using the I Was an Immigrant challenge bookmark (<http://evangelicalimmigrationtable.com/iwasastranger/>).

5. Church leaders set up meetings with leaders of a local coalition (or, if a coalition doesn't exist, with lawyers, pastors who are experienced in offering Sanctuary, national Sanctuary Movement leaders, churches engaged in other protection and defense activities etc.) so that they can get their questions answered by experts.

6. If you are not an immigrant congregation, search for an opportunity to build a relationship with an immigrant congregation (Do a joint potluck with prayer, sharing and storytelling, have a team volunteer at an ESL program, offer to pay for and provide nursery care for a Know Your Rights training).

7. Leadership of the church set up a skype date / attend a webinar with a congregation that is engaged in different protection and defense activities right now.

8. Make an announcement to the congregation about the results of your discernment process by a specified date. Encourage members of the congregation to sign the Pledge, whether or not they will be directly participating in protection and defense activities and to hold others in prayer. Don't be afraid to start small with a plan to grow the ministry over time.



La Promesa Mateo 25

“Yo prometo proteger y defender a los vulnerables en el nombre de Jesús.”

El nuevo Presidente ha dicho que en el primer día de su puesto eliminara la Orden Ejecutiva, la protección de deportación actual de los jóvenes “Dreamers”. Sus oficiales también han mencionado introducir pólizas que puedan resultar en la separación de familias por delitos menores, esto incluye entregar a el Servicio de Inmigración y Control de Aduanas (ICE, por sus siglas en inglés) a aquellos individuos acusados de un crimen (sin esperar una convicción). Es un momento histórico para dar testimonio, siendo sal y luz para el país, manifestando la compasión y justicia del Señor, protegiendo y defendiendo a los vulnerables en su nombre y poder.

¿Cómo se puede proteger y defender a los inmigrantes?

■ **Manteniendo las protecciones actuales: En este momento, tenemos dos pólizas federales que son útiles para la protección de inmigrantes indocumentados.** La póliza de “detención diferida” (Morton Memo 2010) es un permiso especial de estancia en este país temporalmente, a veces con permiso de trabajo. Se puede renovar este permiso cada año. Este criterio da prioridad a las familias con miembros ciudadanos, historial de empleo, contribución a la comunidad etc. Una iglesia o red de iglesias pueden abogar para una persona que cumple este criterio para que reciba este permiso.

■ **Probablemente perderemos esta acción diferida al nivel nacional, pero ahí posibilidad de mantenerla en el nivel regional con el acuerdo del Director de la Oficina de ICE local.** Necesitaremos la participación y apoyo de los líderes de las iglesias para alcanzar esta meta. También, tenemos una política que se llama “zonas protegidas” (sensitive zones) la cual dice que ICE no puede entrar a una iglesia, hospital o escuela.

■ **Existen coaliciones en muchas ciudades las cuales están promoviendo leyes locales que limitan la colaboración entre la migra y la policía, y/o proveen fondos para defensa legal de los indocumentados. Se puede unirse con sus esfuerzos.”**

■ **Capacitar a las iglesias para ayudar a la gente a preparar sus paquetes para la detención diferida:** Podemos capacitar a las iglesias para utilizar mejor el sistema de deportación diferida para proteger familias. Todos deben preparar sus paquetes ahora, aunque las iglesias no deben empezar el proceso de abogacía individual hasta que un inmigrante tenga una orden de deportación.

■ **Dar posada temporal a una familia mientras reciba una evaluación legal.** (No es ilegal hacerlo) Ayudar a una familia que ha llegado de un área con peligro a re-establecerse en esta área.

■ **Respuesta de emergencia - Gente de las iglesias llegando, grabando la situación y orando** (tardando la acción del ICE y/o agarrando una prueba de sus acciones)

Vamos a establecer una red de los quienes han firmado la Promesa Mateo 25 para acción nacional.