

## **Parish Immigration Forum**—September 10, 2017

**Panel:** Father Joe Britton, David McGuire (Vestry), Ann Donohue (Vestry), Marian Bock (Friends Meeting House Co-Clerk for Sanctuary)

**Moderator:** Joe Merlino (Vestry)

**Note Takers:** Carol Raish and Bill Everett (Immigration Committee)

Father Joe opened the evening with a prayer and some personal stories about different experiences with immigration issues. David introduced some of the topics around offering Sanctuary, explaining some terms and pointing people to the Sanctuary FAQ on the church's website.

Joe Merlino opened the floor for people to come to the microphone to ask questions or express concerns or support.

### **Parish Questions and Concerns**

Problems have been experienced accessing SMAA webpage—difficulty opening. Here's a [direct link to the St. Michael's Sanctuary FAQ](#)

**Question: The Education building is set aside for the youth program. What about kids and families in our church? Their issues are not being addressed. We need to put resources into our children.**

Response: The Education building, originally the rectory, is currently being used for Sunday School and Children's Chapel, not really ideal for these activities. The person leading the youth program is confident good alternative spaces can be found, perhaps the Pavilion or the Day School. If Education Building were to be used to house someone in sanctuary, there would be a need to re-install a shower and provide kitchen facilities. Upgrades to the Education Building are discussed in the SMAA FAQs. Comment from Marian: People who have been in Sanctuary suggested not over-building, that if someone is desperate for sanctuary, they may be OK with sponge baths and other inconveniences in order to be more secure.

If children are moved from the Education Building to the Pavilion for Sunday School and Chapel, it could serve as a teaching lesson for them concerning the dignity of all people.

**Do we allow smokers in sanctuary? That has been an issue for First Congregational with Kadhim.**

Response: We get to decide our own criteria for who can come into Sanctuary with us. Regarding Kadhim, he understands the concern and is working hard to quit. He has sometimes taken the risk to smoke outside.

**What about use of the Bosque Center for housing? Would require less manpower than here (at SMAA).**

Response: Use of the Bosque Center may come to fruition. A limit would be that housing would be temporary, because they do rent space out. Would be better for emergency housing. Currently up for discussion by the Standing Committee—they are responsible for the decision. The physical plant isn't ideal for Sanctuary, since the Center has many doors rather than just one which someone can watch.

**Discussion of Judicial versus Administrative Warrants.** What they are. This information is in the ACLU FAQs (pp. 5-6).

<https://www.nwirp.org/wp-content/uploads/2017/03/ACLU-Sanctuary-FAQ-March-2017.pdf>

**What is the vision for how this would work? What specifically would we have to be ready to offer?**

Response: Every situation is different. The nuts and bolts will change with the person taken in. We must have trained volunteers present 24/7. Many churches and individuals are now supporting this effort at the two Albuquerque locations. The vision of the Friends Meeting House began many years ago, and they have been a sanctuary church on principle for many years. The Meeting House (Quakers) building was prepared to house someone. When the need arose, they could decide quickly.

**Can a person in sanctuary leave the building?**

Response: What Sanctuary offers is hospitality rather than house arrest. The person is free to do what he/she wishes, understanding the risk of leaving the space.

**How is food provided for those in sanctuary?**

Response: In Emma's case, congregations take turns bringing in food with funding determined by the congregation. In Kadhim's case, the family is paying for their groceries and his wife cooks.

**What is the SMAA sanctuary process and what does it mean? What does it mean for us.**

Response: Process involves research and discernment. Based on contacts with other churches offering Sanctuary, the vision will evolve over time. Individual needs are different, laws may change. It's up to us to decide what we are willing and able to do.

SMAA has an active Immigration Committee, with many of the committee providing accompaniment to those in sanctuary in Albuquerque. Out of the committee came enthusiasm for SMAA to become a sanctuary.

Currently the Vestry is in discernment and engaging the whole congregation with parish meetings and the comment mailbox in the narthex.

**Why big parish meetings?**

Response: A decision to engage in sanctuary would put the parish at some risk—it is a legal gray area, and this is a big commitment. We want to enter into such a decision with “eyes wide open.”

**Who will make the decision concerning SMAA as a sanctuary church? Will there be a congregational vote?**

Response: In other churches (UCC, Presbyterian, Friends, etc.) major decisions are often by congregational vote. In Episcopal churches, the Vestry makes decisions about much church business, and the Rector decides on use of space. However, no decision will be made in a vacuum. The Vestry at SMAA will need wide support, but everyone does not have to be involved. There is a network of support in Albuquerque.

SMAA will need to seek legal counsel.

**Does the Diocese have to approve?**

Response: The Diocese does not give approval. It is our decision.

**Discussion of risks.** A change in the laws could put us at greater risk. Immigration law is constantly changing. Risks could be professional risks, personal risks, risks to the parish. If the 10<sup>th</sup> circuit court, which covers New Mexico, would decide that providing sanctuary is illegal, would that put our church at risk, would that decision put the people of our church at risk? Silent questions that are not being asked are coming from this fear.

**Why would one invest so much time, etc. in protecting one person or one family?**

Response: In some cases, it can save someone's life. Also, it gives visibility to the issue in the congregation and the community, encouraging people to advocate for change in the law, support the immigrant community.

**Discussion about vetting sanctuary candidates.** Sample vetting criteria is found in #3 of the FAQ. [http://www.all-angels.com/uploads/2/1/9/9/21994488/st\\_michael\\_faq.pdf](http://www.all-angels.com/uploads/2/1/9/9/21994488/st_michael_faq.pdf). Concerns were expressed about over-vetting, or having too strict a criteria, for persons accepted into sanctuary. The focus should be on taking care of our neighbor, rather than satisfying all criteria. Criteria should minimize risk and be flexible, as well as accepting of the imperfect humanity of us all. Compassion should be our guide.

**Has Immigration and Customs Enforcement (ICE) ever entered a Sanctuary space?**

Response: To date, ICE has not entered any sanctuary.

**If having a “viable legal case” is part of what makes someone a candidate for Sanctuary, what constitutes a “viable legal case”?**

Response: As part of their vetting criteria, some churches ask that a person be under an order of deportation, but also have circumstances that might allow them to remain, given enough time for the legal process to unfold. In some cases, having an I-130 application, usually from children or a parent, stating that deportation of the person would subject them (those that are applying) to irreparable harm, is considered to give the person a viable legal case. In Kadhim's case, because he might be tortured on his return to Iraq, his lawyer is proposing to using the Convention Against Torture, international law to which the US is a party. The lawyer feels this is the best defense for Kadhim.

**David had described 4 kinds of hospitality a Phoenix church offers to immigrants, and there was a follow-up question asking for clarification.**

Response: The Phoenix church differentiated between “Emergency Housing” (for immigrants released from ICE detention – a few days, no legal risk); “Asylum” (for asylum seekers – longer term, no legal risk); “Sanctuary” (housing someone under an order of deportation, and informing ICE – long term, some legal risk); and “Refuge” (housing someone under an order of deportation and **not** informing ICE – long term, significant legal risk). SMAA is not considering offering “refuge”. However, the legality of “Sanctuary” varies by judicial circuit. Some circuit courts have determined that simply housing someone under an order of deportation is a felony; others have said it is only a felony when one both houses and conceals the person. Our 10<sup>th</sup> circuit court has not made a decision on the legality of offering sanctuary. That said, some congregations have made the decision to offer “Refuge”, and do not alert ICE that they have someone in sanctuary.

**Comment:** Oleta provided some quotes she has been thinking about concerning sanctuary. One of them—the Holocaust happened because not enough people stood up soon enough. Sanctuary is timely—we are on the brink of what could be much worse. It is a strong symbol to take this step (of providing sanctuary). We stood up for gays and lesbians—outward and visible sign of moral imperative.

**Comment:** Whatever we decide, we need to be able to “look Jesus in the eye”.

**Comment:** It is instructive that the smaller churches have been the ones to step forward on sanctuary.

**Does First Nation sovereignty offer any protections?**

Response: The NM Faith Coalition for Immigration Justice is looking into it.

**Observations**

Stepping out in faith brings a blessing. Offering sanctuary is an exceptional blessing—from one of the churches in Arizona offering sanctuary.

It is a blessing to sit with Emma.

**Accompaniment Training.** There will be accompaniment training on **Friday, Sept 22 at 6:30**, at the Unitarian Church on Carlisle. Contact Marian Bock to register, [mbock7185@hotmail.com](mailto:mbock7185@hotmail.com).

Vision of sanctuary can be a concept of levels—one church provides the sanctuary while other churches provide support such as accompaniment, groceries, transportation, etc.

**Father Joe**—quote from John Locke—“Actions prove to be a fine interpretation of a person’s words.”