How to Be a Sanctuary Congregation on Long Island

A Handbook for Congregations that Support Undocumented Immigrants

A Long Island Jobs with Justice and New Sanctuary Coalition of NYC Collaborative Project

This manual was created by the New Sanctuary Coalition of NYC, and then adapted for Long Island by LI Jobs with Justice. The manual is for churches, synagogues, mosques and other faith communities that are considering offering physical sanctuary to undocumented immigrants facing deportation.
God calls people of faith to remember that they once were strangers in a strange land and they must, must welcome the stranger as an expression of covenant faithfulness (Leviticus 19:33-34)

HOW TO BE A SANCTUARY CONGREGATION ON LONG ISLAND

Sanctuary and Prophetic Witness – An Ancient Religious Traditions

**Ancient Roots**: Sanctuary is one of the most ancient traditions that we have as a people of faith. The ancient Hebrew people allowed temples and even whole cities to declare themselves places of refuge for persons accused of a crime, *a practice that allowed those wrongfully accused or facing unjust punishment to escape swift and harsh retribution until the matter could be resolved*. In the late Roman Empire, fugitives could find refuge in Christian churches. Later during the medieval period, churches in Europe were recognized as legal sanctuaries, offering a safe haven for a temporary period to accused wrong doers.

**Sanctuary in American History**: In the United States, one of the first examples of sanctuary was the Underground Railroad in which many congregations helped slaves flee the South and find freedom throughout the North. In the early 1970’s faith communities opened their doors to conscientious objectors who had been drafted into the Vietnam War. When refugees from the civil wars in Central America began to flee to the United States in the late 1970’s, the U.S. government did not recognize them as political refugees seeking asylum. Many were deported and thereby faced government-backed death squads upon their return. From this dire injustice, the modern Sanctuary Movement was born in the 1980s when over 500 congregations offered some form of sanctuary to Central American refugees.

**Prophetic Witness and Sanctuary in the 1980s**: Congregations that participated in the Sanctuary Movement of the 1980s drew from tradition of the great Hebrew prophets like Isaiah or Jeremiah and from Jesus in the Gospels, speaking truth to power. They reminded the U.S. Government of our core American values to protect poor and vulnerable people. They also called public attention to the role the U.S. government then played in supporting with arms, money and training the dictatorships and death squads of Central America. The Sanctuary Movement eventually helped get Congress to include Central Americans in our asylum laws as part of the 1986 immigration reform law. It is because of their prophetic witness that Central Americans today can legally request asylum, although immigrants still find it very difficult to be granted official asylum status.

**Sanctuary Today**: Drawing on this prophetic tradition, communities of faith have once again seen the need to declare sanctuary for immigrants as the federal government threatens to deport millions of undocumented immigrants, disrupting local economies, shattering lives and separating families. In the 1980’s we were called to welcome the stranger, as we opened our doors to newly arriving refugees from Central America. Now we are called to love our neighbors
as ourselves, as those seeking sanctuary are most often long-term members of our communities - our neighbors. By offering sanctuary, people of faith today can:

- Influence the Trump Administration to stop targeting and deporting law-abiding undocumented immigrants and to stop the unjust separation of families.

- Highlight the stories of those in sanctuary to push back against unjust federal government enforcement and deportation policies.

- Continue to embolden Congress to create a pathway to legalization and citizenship for the 11 million undocumented immigrants who are in the United States and create federal comprehensive immigration reform that treats new arrivals with justice.

The Urgency of Now: Sanctuary in the Time of Trump

Offering sanctuary in this current moment is not about left or right, liberal or conservative, Democrat or Republican. Supporting Sanctuary is not based on political affiliations or specific faith traditions, but on a shared understanding that we have a moral responsibility to treat everyone with compassion and justice. Families being torn apart is morally wrong, so we take action together to stop it. Sanctuary doesn’t just have to be a specific space, it is also a way of being. Communities banding together and looking out for one another can be a powerful way to provide each other with sanctuary.

Immigration and Customs Enforcement (“ICE”), which is part of the U.S. Department of Homeland Security, has a policy of not coming into “sensitive” sites such as religious worship spaces, schools or hospitals to arrest immigrants for deportation.\(^1\) This is not a law, it is a long-standing ICE policy apparently created in part to avoid embarrassing public situations for ICE.

\(^1\) Morton, John, Director, US Immigration and Customs Enforcement (ICE), US Department of
While the Obama Administration deported over 2 million immigrants, their priority was primarily people who committed serious criminal acts. This quickly changed earlier this year. In late January, 2017, President Donald Trump signed a sweeping executive order, followed by directives several weeks later issued by the US Department of Homeland Security, that the New York Times described as offering “an expansive definition of who is considered a criminal” now prioritized for deportation. Among them are:

- People “charged with a criminal offense, even if it has not led to a conviction.”
- People whom an immigration officer judge to be a risk to public safety or national security even if there is no proof that they are a risk.
- People who have “committed acts that constitute a chargeable criminal offense” meaning anyone the authorities believe has broken any type of law, regardless of whether that person has been charged with a crime. [Some legal experts believe this could include certain traffic offenses such as driving without a license.]
- People who have “engaged in fraud or willful misrepresentation in connection with any official matter or application before a governmental agency” which includes anyone who ever falsified a Social Security number in order to obtain a job, which many undocumented immigrants have done. [Stephen Goss, the chief actuary of the Social Security Administration, estimated in in 2014 that 3.1 million undocumented immigrants were using fake or expired social security numbers, yet also paying automatic FICA payroll taxes. Goss believed that these workers pay an annual net contribution of $12 billion to the Social Security Trust Fund, which they can never collect. This is a net gain for the Social Security fund.]

Some attorneys and immigrant advocates are concerned that almost all of the estimated 11 million undocumented immigrants living in the United States are now subject to deportation under these new regulations. Consequently, undocumented immigrants including the vast majority who were never charged with or convicted of a serious crime now live in very real fear of deportation. Today, as never before, many will be subject to ICE arrests and may very well need a safe space such as a sanctuary congregation to avoid arrest or while they prepare their legal defense against deportation.

Congregations Can Offer Several Types of Sanctuary

There is no cookie cutter model for offering sanctuary. In the end, each congregation has to decide what fits their capacities and resources. Most often, congregations will offer short term-sanctuary to immigrants who fear that an ICE raid is coming or to those who need a safe space

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3 https://news.vice.com/article/unauthorized-immigrants-paid-100-billion-into-social-security-over-last-decade
while they prepare their legal defenses. In rare situations, long-term sanctuary might be needed.

- **Short-term Sanctuary – “Safe Space”**: Taking sanctuary in a congregation may be useful for a short time (a few hours, one day, a short overnight stay, or at most two days), to help the immigrant feel safe and become calm rather than panicked, and to get information on what to do next, so they can make good plans. Short-term sanctuary also provides them with a safe space while they prepare their legal plans to fight deportation.

- **Long-term – “Physical Sanctuary”**: If an immigrant with a final deportation order is an actual named target for immediate deportation, going into physical sanctuary may be a way to avoid deportation for an indefinite period, which could last for days, weeks or months or even years. The immigrant moves into the congregation and lives there full-time until some agreement can be made with ICE to let the immigrant live outside the congregation without fear of being immediately deported.

Once an immigrant comes into physical sanctuary, he or she cannot leave the Sanctuary building for any reason – cannot go to work or school or to buy food or to get medical care etc. All living needs (food, bedding/bathing facilities, medical care, companionship, entertainment, etc.) must be provided by the targeted immigrant’s non-deportable family members (if any) and/or the congregation and/or a group of congregations organized for this purpose.

When long-term sanctuary is agreed on by both the immigrant(s) and the congregation, it is necessary to get advocates, preferably a lawyer, to negotiate with ICE to get an agreement to let the immigrant stay in the community rather than being a target for deportation right away. Only when some agreement is in place will it be safe for the immigrant to leave the congregation building.

**Situations in Which an Immigrant Might Seek Sanctuary**

Typically, undocumented immigrants will seek sanctuary in a congregation:

- When ICE has told an immigrant who has a final order of deportation to report for deportation (“bag and baggage order”) on a specified date, or
- When ICE conducts a raid in a neighborhood, looking for the particular immigrant - one who has a final order of deportation, but has not been picked up because either ICE cannot find that person, or the person’s family will not open the door to let ICE in to seize the person, or
- When ICE is conducting raids in a particular neighborhood and an immigrant is afraid that he or she is, or could become, a target that ICE would detain. Many immigrants fear that they will be detained during a raid, even if they are not a named target, and may
need sanctuary for a short time to calm down, to get accurate and up-to-date information, and to make plans.

The congregation needs to make its own determination whether an immigrant is suitable for physical sanctuary. The steps that congregations can follow in making this determination are outlined below on pages 7-11. Among the criteria that might be used to offer sanctuary are whether the immigrant:

- Has a reasonable fear of an ICE arrest and/or immediate deportation;
- Understands and can handle the hardships of being confined in physical sanctuary;
- Understands that it may take months or even longer to be able to leave;
- Appears to have the character to withstand this experience, and
- If possible, is articulate and able to explain their reasons for sanctuary to others.
- Has no previous conviction for a serious felony\(^4\)
- Has an order of deportation, which can be legally challenged, and/or leaves room for prosecutorial discretion.\(^5\)

A note on felony convictions: The U.S. criminal justice system is often criticized for systemic biases against people of color and poor people who are often subject to racial profiling and/or lack the resources to properly defend themselves in court. In addition, congregations should be aware that the U.S. criminal justice system stigmatizes for life people convicted of felonies, even after they have served their prison sentences. Congregations should consider these biases if an immigrant admits to a felony conviction. There are also substantive differences between convictions for serious crimes against people such as murder or domestic violence and convictions for less serious crimes such as fraud or minor drug violations.

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We can no longer wait.

Just because Congress has failed to act does not mean that people of faith should also stand idle. Instead, it is time to stand up and stand in solidarity with undocumented people who live in fear of being separated from their families every day. Scriptures call us to care for the widow and the orphan, but it is time that we act sooner and prevent the creation of widows and orphans through our broken immigration system.

—Southside Presbyterian Church statement on Sanctuary 2014

\(^4\) Schaper, Donna, New Sanctuary Coalition of NYC and Pastor, Judson Memorial Church. Statement to the LI Jobs with Justice AMOS Steering Committee, March 2, 2016

\(^5\) Ibid.
Legal and Practical Considerations for Sanctuary Congregations

**Legal Issues:** A major concern for congregations offering sanctuary is the legal risks. To date, no congregation has been sued or otherwise harassed or punished by the government for being a Sanctuary Congregation for immigrants. In the 1980s, a few individual clergy were sued for harboring or transporting immigrants in violation of the law, but in the current immigration crisis of the 2000s, so far, the government has not tried to act against any Sanctuary Congregation or clergy leaders. No clergy person has ever been jailed for offering sanctuary.

**“Non-Concealment” Sanctuary and the Law:** The immigration law (8 USC 1181 section 1234(a)(1)(A)(iii)) says a crime is committed by anyone who “conceals, harbors, or shields from detection” an immigrant who the person knows is remaining in the country in violation of law. However, if a congregation simply houses such an immigrant but does not try to “conceal” or “shield” them from ICE detection, and preferably actually tells ICE where the immigrant is now living, there is case law at least in some federal district courts that this does not constitute “harboring,” and the sanctuary congregation has therefore not committed a crime. Because no congregation has yet been sued under this law, the Supreme Court has not yet had the opportunity to say whether this interpretation is correct. Obviously, there is no way to predict what courts in the future might do. It would be helpful to locate an immigration lawyer as a consultant, in case issues arise for the congregation or its leaders or immigrants in sanctuary.

**Practical Considerations:** There are practical considerations in actually housing an immigrant or immigrant family, with the extra work and inconvenience that will involve. An immigrant who has a legitimate fear of immediate deportation must stay “in sanctuary” full time. To be safe from ICE, *sanctuary housing and care must be in the congregation’s worship building* – not in its hall or clergy residence or other separate building, where ICE could enter. The congregation and its community will need to provide furniture, bedding and linens, bathing facilities (portable showers can be rented on Long Island), food and/or cooking facilities, care, and companionship for an immigrant (possibly for an entire family) for an unknown period of time until it is safe for the immigrant(s) to leave.

**Insurance Questions:** According to the Unitarian Universalist Association’s sanctuary manual, the congregation’s General Liability Insurance should cover any mishaps that could occur while someone is living in sanctuary. The Unitarians never had any incidents wherein a congregation had to make an insurance claim, however, if you would like to talk with your insurance company please do.  

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6 Unitarian Universalist Association congregational toolkit, “Sanctuary Not Deportation: A Faithful Witness to Building Welcoming Communities”.  
http://www.uua.org/immigration/witness/partners/newsanctuary
How to Become a Sanctuary Congregation

The congregation authorities should make a decision to offer sanctuary, however such decisions are made in that particular congregation – by the pastor alone, and/or the bishop or other judicatory official, and/or a vote by the congregation council and/or entire congregation. They should decide if the congregation will offer short-term sanctuary or long-term sanctuary.

Once your congregation has decided to become a Sanctuary Congregation, follow these steps:

1. **Designate who in the congregation staff and/or lay leaders will be the Sanctuary “Coordinator”** for the congregation. If possible, form a Sanctuary Committee or Task Force including the Coordinator and other staff and lay members.

   The coordinator and/or task force will do the following:

   • **Assign someone(s) to create and distribute flyers about sanctuary** that will include your congregation’s name and its phone number to call for this purpose. Give the flyers to other congregations, local community organizations and immigrant advocacy groups, elected officials, neighbors, etc. so immigrants can learn that you are a Sanctuary congregation if they need one.

   • **Contact LJ Jobs with Justice** to notify us of your decision (ahalasz.lijwj@gmail.com or call 631-348-1170 ext. 304). Tell us you are becoming a Sanctuary Congregation and give your contact information, so we can list you on our website and elsewhere as a Sanctuary Congregation.
     o We will provide you with “Know Your Rights” materials in Spanish or Creole or English to give immigrants who inquire.
     o We work to identify lawyers who may be available to represent any immigrants who do take physical sanctuary in your congregation, and to help to negotiate with ICE about the immigrant’s case, and ultimately to be able to leave sanctuary safely.

   • **Designate who (clergy, immigration coordinator, other) will answer the congregation’s phone line** listed for immigrants to call (day or night if at all possible) to talk to those who call about sanctuary, and who should be called to talk in person to immigrants who show up at the congregation to seek sanctuary, and to give them appropriate materials and latest information.
• Instruct the staff at your “front desk” (wherever people enter to seek help), that if an immigrant comes in and asks for protection, they should:
  o Take the person to sit in the congregation worship space (“sanctuary”) or other safe space;
  o Notify the designated person to come and talk with the immigrant;
  o Call the LI Jobs with Justice hotline, (516) 387-2043, to tell us that an immigrant has asked for sanctuary.

2. Prepare to respond if/when someone does ask for overnight physical sanctuary:

• Designate and set up a room in your congregation worship building (in the same building as the worship space, not in a detached hall or clergy residence, which is not safe from ICE), where an immigrant and/or family could stay safely and as comfortably as possible

• Organize a group of volunteers ready to go food shopping, bring in cooked meals if there is no place to cook, handle laundry, provide company, etc.

• Prepare to be the subject of media attention. Long Island Jobs with Justice will offer advice on how to prepare for this very important, and necessary, step. It is good to prepare in advance a statement of why you are providing sanctuary to give the media or other inquirers.

3. Start talking to other congregations in your area who may not be Sanctuary Congregations themselves, but may be willing to partner with you to provide volunteers or food or money or lawyers etc. if your congregation does have people in physical sanctuary, which will take extra help. Long Island Jobs with Justice will assist you in establishing a community-based Rapid Response Team to support your Sanctuary Congregation’s activities.

What To Do When Immigrants Ask Your Congregation for Help

1. Responding to phone calls:

• ICE raids often occur between 5 to 7 AM to find people at home, and ICE may hang around for a while to pick up anybody who leaves the house, such as to put out the garbage or go to work or school.

• Immigrants who believe this is happening may phone your congregation’s emergency number or call the Long Island Jobs with Justice hotline, (516) 387-2043.

• The congregation’s designated first responder will talk to the callers about what is going on – is it a raid? A rumor that there may be a raid soon? Somebody at the door trying to get them to open it? Some other fear?
• **If the immigrants fear a raid but nobody is actually at the door** to pick them up and they have not seen any ICE agents near them, they should be told to come to the congregation when it is open – tell them when that is -- for updated information on what is happening. Then (during business hours) the first responder should call the police and/or the Long Island Jobs with Justice hotline, (516) 387-2043, to find out what is going on.

• **If the caller says there is someone at the door** instruct them to not open the door and request that the warrant be pushed under the door. ICE is not allowed to come inside unless they show an actual *court-ordered arrest* warrant for a person who is actually in the premises. A judicial warrant will be stamped and signed by the judge. *A warrant from ICE without a judge’s order is not enough.* It is not advisable to let ICE in just to see that the person they want is not there – they may pick up somebody else. Tell the immigrant who is calling to wait inside the home and watch for when the ICE agents have left the area and only then actually come to the congregation (when it is open) for safety and information.

• **If there is an actual pick-up in process** or if the person has already been picked up, get the names of those detained so you can notify the Long Island Jobs with Justice hotline, (516) 387-2043, to follow up.

2. **Responding when an immigrant fears an ICE raid may occur:**

• Take them to the sanctuary or other safe space to sit and relax.

• Talk to them about why they came – what do they think is going on; what do they fear?

• Tell them what you already know about the actual situation, or say you will find out.

• Give them a Know Your Rights publication to read.

• Pray with them.

• Tell them they can stay in the safe space as long as they need to feel safe, and that you will check on them from time to time. Then call the Long Island Jobs with Justice hotline, (516) 387-2043, to discuss strategies and a plan of action, which could include:
  o Calling, going out, or sending out people to verify that a raid is taking place, and if it is, to document what is happening.
  o Setting up a Know Your Rights training session at the congregation for the community.
3. Responding to immigrants who ask for longer-term physical sanctuary: The designated sanctuary leadership person or group will:

- Learn the immigrant’s story – why/when they came to the US, how they have been living since then, what interactions they have had with ICE, do they have a lawyer?

- What makes them think they are in immediate danger of being detained/deported.

- Explain that being in physical sanctuary involves living inside the congregation until a safe release can be negotiated with ICE, without being able to leave the premises at all.

- Decide whether to offer physical sanctuary to this person and if so, make the offer. [Suggested criteria for admitting an immigrant to physical sanctuary in your congregation are outlined above on page 5]. If the immigrant(s) still want to accept your offer of physical sanctuary after learning the hardships of living in virtual house arrest in the congregation, take them to the designated room and explain where they can sleep, bathe, eat – whether they can cook or must have meals brought in – and where else in the building they may safely visit and when, given the congregation’s regular events.

- Notify the Long Island Jobs with Justice hotline, (516) 387-2043, that an immigrant has taken physical sanctuary, to get help and advice on how to handle the likely media interest and negotiations.

- Alert your congregation’s sanctuary committee to start assisting in daily living arrangements as needed. This may include notifying the neighboring congregations that you have asked to help in such a situation, by signing up to bring food, etc. as needed.

- Tell the entire congregation; at a suitable occasion, introduce the sanctuary immigrant(s), and have a celebration!
The Trump Administration has broadened the criteria for deportations so almost 100,000 undocumented immigrants on Long Island now live in fear of encountering ICE (Immigrations and Customs Enforcement). With the step up in deportations, workers disappear, families are divided and children are separated from their parents.

LI Jobs with Justice has developed these community-based programs to support undocumented immigrants in danger of deportation.

~ KNOW YOUR RIGHTS TRAININGS ~
We provide Know Your Rights trainings to impacted immigrant communities where we share information on what to do if you encounter ICE. The trainings are available in Spanish and English to impacted communities, community allies, and service providers. Email Victoria Daza to schedule a training at vdaza.lijwj@gmail.com.

~ SOLIDARITY FUND ~
The Long Island Solidarity Fund is a community-raised initiative that seeks to provide financial assistance for the families of workers facing deportation. Long Island is a very expensive place to live and one person’s deportation/detainment can have devastating impacts on a family unit’s ability to afford housing, food, childcare, or medical treatment. 100% of all money raised will go to families with detained breadwinners or workers. To donate make checks out to “Long Island Jobs with Justice” with “solidarity” in the memo and mail to: 390 Rabro Drive, Hauppauge, NY 11788.

~ ACCOMPANIMENT PROJECT ~
In partnership with the New Sanctuary Coalition of NYC, LI Jobs with Justice has cultivated over 100 volunteers willing to serve as “Witnesses” accompanying undocumented immigrants to their immigration court hearings at Federal Plaza in NYC or to Long Island traffic, family or criminal courts – all of which could trigger a detention or deportation. If you are interested in learning how to become a Witness, contact Anita Halasz at ahalasz.lijwj@gmail.com.

~ ICE HOTLINE ~
Given the fear generated by the ICE arrests, LI Jobs with Justice has created a Long Island ICE Hotline to receive and verify reports of ICE presence and actions in particular neighborhoods. The hotline number is 516-387-2043.

~ COMMUNITY-BASED RAPID RESPONSE NETWORKS ~
A Rapid Response Network (RRN) consists of volunteers in specific communities willing to support undocumented immigrants fearing and encountering ICE. They verify ICE presence and set in motion witnesses to arrive where ICE is operating. The RRN also provides supports to people in fear of ICE as well as people experiencing an ICE arrest. These supports might include: community response actions to ICE presence; providing a Witness to accompany at a court appearance; financial help from the Solidarity Fund; providing physical sanctuary in a place of worship to people fearing ICE presence and action. If you are interested in building a RRN in your community, contact Victoria Daza at vdaza.lijwj@gmail.com.

To learn more about the LI Jobs with Justice immigration justice supports contact:
Anita Halasz, Executive Director of LI Jobs with Justice
631-348-1170 ext. 304 or ahalasz.lijwj@gmail.com
MORE SANCTUARY RESOURCES

“How to Become a Sanctuary Community 101” webinar – You can find the webinar by searching for the title on YouTube or subscribing to the Synod YouTube channel (Synod Northeast). Speakers include Rev. Alison Harrington, current pastor of Southside Presbyterian Church in Tucson, AZ; Rev. John Fife, former pastor of Southside Presbyterian Church and former moderator of the 204th General Assembly of the PC(USA); Rev. Jim Rigby, pastor of St. Andrew’s Presbyterian Church in Austin, Texas; Amy Beth Willis, organizer of the National Sanctuary Movement. This webinar is available for use.
https://www.youtube.com/watch?v=Zcps43NN3nl&feature=youtu.be

“Sanctuary Movement” of PBS Religion and Ethics Newsweekly. This ten-minute episode from 2/3/2017 features many leaders of the Sanctuary Movement from several faith traditions speaking about the religious and theological impetus for Sanctuary.
http://www.pbs.org/video/2365946312/

Faithful Resistance: Gospel Vision for the Church in a Time of Empire by Rick Ufford-Chase (and many others!) This book is a collection of reflections from difference people who are “being” and “doing” church in radical and faithfully-grounded ways. It includes discussion questions at the end of each chapter for use in groups, and the first chapter is all about the Sanctuary Movement.

Beautiful Trouble: A Toolbox for Revolution by Andrew Boyed and Dave Mitchell – This book is a collection of wisdom, ideas, and best practices for creating change from artists and activists around the world.

Convictions of the Heart: Jim Corbett and the Sanctuary Movement by Miriam Davidson – Stories and reflections from the 1980s Sanctuary Movement

@AILANational – American Immigration Lawyers Association Twitter account – Tweets updates in policies and advice for people who are immigrants; this might be particularly useful if there are members of your community who are immigrants and/or you are offering sanctuary to immigrants.

How to Build a Sanctuary Coalition –
http://www.sanctuarynotdeportation.org/uploads/7/6/9/1/76912017/how_to_build_a_sanctuary_coalition.pdf
For more information or if you have any questions contact:

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