

Sanctuary 2014

You who live in the shelter of the Most High, who abide in the shadow of the Almighty, will say to the Lord, "My refuge and my fortress; my God, in whom I trust."
- Psalm 91:1-2

What is Sanctuary?

Sanctuary is one of the most ancient traditions that we have as a people of faith. "The ancient Hebrews had 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 to escape swift and harsh retribution until the matter could be resolved. In the late Roman Empire fugitives could be harbored on 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, when the Underground Railroad came into being to help slaves flee the South to safety...It was not until the Vietnam War that sanctuary was explicitly invoked in the United States. Numerous churches and campuses all over the country, sheltered draftees and servicemen seeking to avoid military service in Vietnam."¹

When refugees from the Civil Wars in Central America began to flee to the United States in the 1980's, people of faith drew on the tradition of Sanctuary and began the Sanctuary Movement. Founded on principles of civil initiative, the Sanctuary Movement, which at its peak involved over 500 congregations, established an underground railroad whereby refugees were moved through the United States to safe house and safe congregations thereby avoiding deportation to the death squads of their home countries. In addition, the Sanctuary Movement sought to remind the United States government of its own asylum and refugee laws which they were not following when it came to the refugees of Central America.

Today, drawing on this tradition, communities of faith have once again seen the need to declare Sanctuary for immigrants who are under threat of deportation. In the 1980's we were compelled by the call to *welcome the stranger*, as we opened our doors to newly arriving refugees. Today, we find ourselves moved by the call to *love our neighbors* as ourselves, as those who are entering into Sanctuary are most often long term members of our communities - our neighbors. But whether the individual who is seeking Sanctuary is a newly arrived refugee or someone who has lived in the United States for 20 years, the mandates of our faith are

¹ Crittenden, Ann. *Sanctuary: A Story of American Conscience and Law in Collision*. page 62-63

clear: throughout scripture 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). And again, throughout scripture we are called to love our neighbor as ourselves (Luke 10:27) and to “learn to do good, seek justice, rescue the oppressed, defend the orphan, plead for the widow” (Isaiah 1:17). In the Christian tradition, our very salvation depends on how we treated the least of these (Matthew 25:31ff). The scriptural references go on and on, but what is clear is that the foundations of faithfulness and the cornerstones of salvation are found in our practice of mercy and justice as we seek to care for who are oppressed and work for an end to all injustice.

Why now?

In the past several years, we have prayed and organized to get Congress to pass immigration reform and after three years of hoping, it is clear that our leaders have failed to address the situation of the 11 million undocumented people living in the US. But 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 calls 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.

Who are those seeking Sanctuary?

We are all aware that we have been in the midst of a humanitarian crisis on the border for years, and the recent influx of refugee children from the Northern Triangle of Central America has only deepened this crisis. Communities of faith all over the nation are seeking to find ways to respond to this recent crisis, but at this point the families and children from Central America are not seeking Sanctuary. This may change at some point in the future, but at this point those who are seeking Sanctuary are undocumented Americans who have lived for some time in the United States and who qualify for administrative relief under current immigration law. In 2011, John Morton, Director of ICE issued a memo to immigration officials instructing them to take certain factors into account when considering prosecutorial discretion in deportation cases; factors such as length of presence in the United States, lack of criminal history, whether the person has a U.S. citizen or permanent resident spouse, child, or parent. This memo on prosecutorial discretion has opened the window for many in our community to have their deportation cases closed.

We are largely coming into contact with these cases through the Keep Tucson Together Legal Clinic that meets at Southside Presbyterian Church on the 1st and 3rd Saturdays of the month. This relationship is key as it is the legal team who are able to accurately assess whether someone has administrative relief available to them and therefore is able to enter into Sanctuary with a reasonable expectation of receiving a stay of their deportation order or having their deportation order closed all together. By the time an individual needs to enter into Sanctuary all other legal avenues have been pursued and a final order of deportation has been issued. Often the KTT team works with individuals for years on their cases and is able to begin a conversation with a congregation about a potential Sanctuary case months in advance, but sometimes the individual comes to the clinic in the 11th hour requiring a congregation to act quickly.

How do we “Declare Sanctuary?”

Every community of faith will have a different method of discernment as to how they feel called to respond to the deportation of community members. Some have entered into a period of prayer, study and reflection while others have felt that they can act more quickly. 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 enter 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, the strain on a family can all be burdensome.

The public aspect of the Declaration of Sanctuary is important because it is by bringing attention to the particular case and mobilizing the community to stand in solidarity and to advocate for the individual that we are able to successfully get cases closed.

There has been liturgy developed by Southside Presbyterian Church and Shadow Rock UCC in Phoenix that can be adapted for a prayer vigil declaring Sanctuary, but individual congregations should develop liturgy that is appropriate to their own religious background and setting.

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. 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 living in Sanctuary does not leave the premises the family comes and goes as they choose. At times the family can become overwhelmed by visitors and media and so they should be encouraged to establish whatever boundaries they need.

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. That being said, it is a good practice to always have a presence at the house of worship, even at night. This accompaniment is important in a volatile political climate where protestors may show up. But more than that, it is a comfort for the family to know they are not alone.

Support

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 - this can often be done by enabling them to cook for themselves. 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 have 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.

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 pride of the

family in this situations. It is difficult for all of us to be in a situation where we have to depend on others.

Advocacy

One of the most important aspects to Sanctuary is the advocacy that we do on behalf of an individual. In partnership with the KTT Legal team, a strategy is developed and a multitude of different people are identified as the focus of our efforts like Department of Homeland Security Jeh Johnson 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 and the Board of Supervisors as well as local religious leaders are approached to use their power and influence to get the individual's case closed. We have developed relationships with key allies in Washington, DC and partnerships with national organizations who have worked closely with us on cases.

Working with the Legal Team

A close working relationship with the Keep Tucson Together Legal Team is foundational to this work. They are the ones with the expertise on immigration law and they know all the different avenues to be pursued. We are blessed with the legal team that we have and with Margo Cowen who is half lawyer, half community organizer and who approaches even the most difficult cases with imagination and a great deal of faith. Regular (if not daily meetings) with this team is vital to the success of the campaign. Decisions about strategy and messaging is typically made by an ad-hoc consisting of the legal team, clergy, other lay leadership, and the individual in sanctuary.

Legal Questions

Everyone always wants to know - are we breaking the law? Law is a lot like scripture - its up to your interpretation. If you ask 5 different lawyers about Sanctuary, you will get 5 different answers but there are a couple things to keep in mind. It is generally agreed that the crime of harboring includes the intent to conceal the individual, when we declare Sanctuary for an individual we are bringing them into the light of the community, not concealing them in the dark of secrecy. The other reality is that immigration officials know that if they went into a house of worship to arrest a pastor they would have a public relations nightmare on their hands. To date no one has ever been arrested for offering Sanctuary.

Media

Media is an important tool in amplifying our voices beyond our own community and without the media it would be very difficult to apply the pressure that we need to win a case. If the individual in Sanctuary and their family feel comfortable they should be encouraged to tell their story to the media - it is the powerfully, moving stories of undocumented families that moves the hearts and minds of many in our nation. Religious leaders also have an important role to play with the media as we seek to tell our own story of being moved to step out in faith. The legal team and others in our network can help in drafting press releases, op-eds, and can do basic media trainings for congregational leaders.

How can communities of faith participate?

Sanctuary is not just about living within the protection of the walls of a congregation, it is about living in the shelter of a community of faith that is working alongside the "Sanctuary Church" to keep a family together. In order to strengthen the witness of the "Sanctuary Church" other communities of faith become part of the shelter and protection of the family by: participating or leading prayer vigils, phone banking, writing letters, circulating petitions, staying over night with the family, donating money to the church and the family, visiting with them, bringing them meals/food, and doing anything we can to let them know that they are not alone. In short, there is a role for everyone to play, even if you find that your congregation will not be able to declare Sanctuary. So remember, when a congregation offers sanctuary to a family it is not the building that protects the family, it is the community that protects the family; it is within the love and support of the community that the family finds shelter and each and everyone of us is part of that community.