Called to Welcome the Stranger Among Us

A Pastoral Plan for Outreach and Education on Migration

“Come, you who are blessed by my Father. Inherit the kingdom prepared for you from the foundation of the world. For I was...a stranger and you welcomed me.”

(Mt 25: 34-35)
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Office of the Bishop

My Sisters and Brothers in Christ:

We are a pilgrim Church whose members have migrated from all parts of the world. Our migratory roots are as deep as the Exodus and wandering of God’s people in the desert to the most profound appreciation of the Son of God, who migrated into this world to become an intimate member of the human family. This migration brings a depth and beauty of culture and tradition that only enriches the body of Christ. People migrate for many reasons, but predominantly they move for economic opportunity. The Center for Global Development (CGD) estimates that around 200 million people do not live in the country where they were born. A large percentage of these individuals and families migrate to developed countries like ours because they cannot earn enough money to live and care for their families. We can see the difficulty of caring for each other as we learn that more than half of the world’s population lives on less than $2.50 per day.

When individuals and families arrive into this country, sometimes at great physical peril, they face many legal obstacles that were not historically part of our immigration policy. From the 1800s through the 1930s, most people who entered the United States became citizens after settling and working here for a certain period of time. Today’s immigration policy accommodates a very narrow category of applicants and provides very few, difficult to obtain, visas. Many immigrants who had received work visas and have overstayed their legal eligibility have no way to regularize their status. Under current law, there is no reasonable process to correct the status of the majority of our undocumented brothers and sisters. I am all too familiar with the growing political hostility toward immigrants, particularly those who lack correct immigration status. These individuals and families live in our communities, attend our parishes and participate in the communal and economic life of our state. They live in daily fear that they may be stopped, detained and deported. They are fearful for good reason.

Since many of our families may be impacted, it is our responsibility, as people of faith, to work toward greater solidarity with those who are seeking a better life for themselves and their children. Through our efforts we can reach out pastorally to help those families who have become separated, we can educate ourselves on the history of immigration and its collective contribution to this country, and we can advocate for policies that address the root causes of migration and not just penalize the poor. Most importantly, we can pray for those who are forced to migrate from terrible conditions in their home countries.

May ours be a ministry of hope and welcome to all who migrate toward a better life; a life of wholeness and peace.

Sincerely yours in Christ,

Most Reverend John Noonan
Bishop of Orlando
AN OPEN LETTER TO FLORIDA SENATORS AND MEMBERS OF CONGRESS

With the increasing anti-immigrant rhetoric and the discriminatory legislation passed in Arizona, the faith community of Central Florida is deeply concerned with the level of hostility being leveled at the many immigrants in our country in general and the potential for passage of such legislation in our state specifically.

Immigrants are the foundation of this country and continue to contribute to the economic and cultural richness of our state and nation. It is important to protect our borders and secure our cities. In addition, it is important to protect our people with good public policy that does not ‘target’ undocumented individuals, the vast majority of whom entered the country legally and stay because of the work opportunities the United States provides. Current immigration law forces these people to live in the shadows of our communities rather than to correct their status and begin a path toward citizenship. A deep respect for the laws of the land calls for the evaluation of the effectiveness and humanity of laws.

We call for immigration reform that is humane and consistent with our faith values because each day in our congregations, social service programs, health-care facilities, and schools we witness the human consequences of a broken system. A system that penalizes children and families; families who contribute to our economy by buying goods and providing services.

Our scriptures tell us: “The strangers who sojourn with you shall be to you as the natives among you, and you shall love them as yourself; for you were strangers in the land of Egypt” (Leviticus 19:33-34). The Qur’an states that we should “serve God….and do good to….orphans, those in need, neighbors who are near, neighbors who are strangers, the companion by your side, the wayfarer that you meet…. (4:36).”

We believe that we are all children of God, and brothers and sisters to one another, and that to love one another is to love the very essence of God, our Creator. Our diverse faith traditions teach us to welcome all of our brothers and sisters with compassion, not with contempt.

Therefore, we the undersigned faith leaders and organizations, join together to call on our State and Federal Senators and Representatives to act immediately and justly to fix our broken immigration system and move forward immigration reform legislation that keeps families together, ensures a pathway to legalization and citizenship, protects due process and workers rights, and adopts smart and humane enforcement strategies. While there is no specific Federal legislation currently being deliberated, the administration has expressed an interest in finding bi-partisan solutions to this dilemma.

As elected representatives who hold the values and the immigrant contributions on which our country was founded in high regard, we urge you to respectfully and reflectively consider promoting just and fair immigration policy.

Thank you for your consideration,

Most Reverend John Noonan
Bishop Diocese of Orlando

Rev. Paige M. McRight, Executive Presbyter, Central Florida Presbytery

Rev. Clare Watson Chance, Pastor, Broadway United Methodist Church
Rev. Errol Thompson, Pastor, New Life Fellowship Missionary Baptist Church

Timothy W. Whitaker, Florida Area Resident Bishop, The United Methodist Church
Called to Welcome the Stranger Among Us

A Pastoral Plan for Outreach and Education on the Undocumented Immigrant
(adapted from the US Bishops’ Pastoral Statement, “Welcoming the Stranger Among Us: Unity in Diversity)

“Come, you who are blessed by my Father. Inherit the kingdom prepared for you from the foundation of the world. For I was...a stranger and you welcomed me.” (Mt 25: 34-35)

WE ARE CALLED

“You shall treat the alien who resides with you no differently than the natives born among you; have the same love for him as for yourself; for you too were once aliens in the Land of Egypt. (Lv 19:34)

The Word of God depicts poignant images of Moses and the Jewish people fleeing Egypt and of the Holy Family as refugees. These images call us to a deep compassion for the plight of the migrant. Inspired by this calling of our faith, the Church has developed a rich heritage of welcome and pastoral concern for immigrants, migrants, and refugees. This calling and this tradition have been well developed in the United States – a land of immigrants, a place heralded as a refuge for those fleeing persecution and seeking a better life.

The rich experience of immigration to the United States provides us with an opportunity to practice what we profess as a Christian people – to reach out to someone in need, to provide a genuine welcome; and in doing so to become profoundly enriched ourselves.

As Catholics, we are called to welcome new immigrants and help them join our communities in ways that are respectful of their cultures and in ways that mutually enrich the immigrants and the receiving church.

THE CALL TO CONVERSION

The presence of so many people from such diverse cultures and backgrounds in the United States invites us as Church to a profound conversion so that we can truly become a sacrament of unity.

We are called to move beyond the anti-immigrant stance that has become popular in different parts of our country, and the nativism and racism that continue to reassert themselves in our community.

We are called to reach out to ethnic communities that exist side by side in our parishes with little connection to one another.

We are called to become an evangelizing Church.
The new immigrants call us back to our ancestral heritage as descendants of immigrants and to our baptismal heritage as members of the Body of Christ.

EXPRESSING SOLIDARITY WITH IMMIGRANTS AND REFUGEES

Advocating for Justice
The Church teaches us that “as Catholics, we need to share our values, raise our voices, and use our votes to shape a society that protects human life, promotes family life, pursues social justice, and practices solidarity” (Administrative Board of the U.S. Catholic Bishops, Faithful Citizenship: Civic Responsibility for a New Millennium, p 12). In accordance with Catholic social teaching, and with the gospel mandate to love our neighbor and welcome the stranger, the Catholic Church commits itself to advocacy on behalf of immigrants, migrants, and refugees:

We advocate for just policies that respect the human rights of immigrants and preserve the unity of the immigrant family, including due process rights, fair naturalization procedures, and legalization opportunities.

We encourage the extension of social services, citizenship classes, and community organizing efforts that secure improved housing conditions, decent wages, better medical attention, and enhanced educational opportunities for immigrants, migrants, and refugees.

We oppose efforts to stem migration that do not effectively address its root causes and that permit the continuation of the political, social, and economic inequities that contribute to it.

Why do people migrate:
“Migration has always been part of human history. But because of widespread changes caused by globalization, more people are migrating than ever before, prompting some to call our own generation “the age of migration.” In the last 25 years the number of people on the move has doubled from 100 million to nearly 200 million people. One out of every 35 people around the world are now living away from their homelands. This is roughly the equivalent of the population of Brazil, the fifth-largest country on the planet.

Many migrants are forcibly uprooted: Approximately 30 million to 40 million are undocumented, 24 million are internally displaced, and almost 10 million are refugees. As one of the most complex issues in the world, migration underscores not only conflict at geographical borders but also between national security and human insecurity, sovereign rights and human rights, civil law and natural law, and citizenship and discipleship. Hotly debated, much has been written about the social, political, economic and cultural dimensions of immigration, but surprisingly very little has been written from a theological perspective, even less from the vantage point of immigrants themselves.
The current global economy precipitates situations that push people out of their homelands while at the same time pulling them toward places of greater opportunity. At present 19 percent of the world lives on less than $1 a day, 48 percent live on less than $2 a day, 75 percent live on less than $10 a day, while 95 percent live on less than $50 a day. The richest 1 percent of the world has as much as the poorest 57 percent taken together. And the three wealthiest individuals has as much as the poorest 48 nations combined.

Given this economic reality, migration must be understood not as a problem in itself but as a symptom of deeper issues rooted in widespread inequities. Because the density of global capital resides in the Northern Hemisphere, migration flows tend to move in a South to North direction, no so much because people want to become rich but because they are seeking just to survive and live beyond the minimal exigencies of daily needs.”

(From an essay printed in the National Catholic Reporter: “Theology in the age of Migration” by Daniel G. Groody, 2009)

How Can You Get Involved?

Pray for these families: prayer resources available at www.usccb.org/mrs

Volunteer your time and expertise by visiting: www.advocacyjustice.org

Advocate for Just Immigration Policies by visiting: www.justiceforimmigrants.org

Educate yourself on immigration laws and policies and educate the undocumented on their “rights”

Be involved in pastoral care outreach to families who have members detained and/or in the process of deportation.

Reach out to the youth of undocumented families as they may not realize they could be U.S. Citizens with all the rights that entails.

PASTORAL OUTREACH

Enforcement only immigration policy through secure communities

In light of the fact that Congress has failed to address the deeply flawed and unjust immigration policy in this country and with the implementation of the Secure Communities initiative in the State of Florida, this pastoral packet has been developed to be used as a resource to parishes that minister to undocumented families in their community.

Background: Secure Communities (SComm) is a U.S. Government Department of Homeland Security program designed to identify immigrants in county jails who are deportable under current immigration
law. According to 2010 Special Report initiated by the Immigration Policy Center, “Under Secure Communities, participating jails submit arrestees’ fingerprints not only to criminal databases, but to immigration databases as well; allowing Immigration Customs and Enforcement (ICE) access to information on individuals held in jails. Unlike other ICE-local partnerships, SComm gives ICE a technological, not physical, presence in prisons and jails. No Memoranda of Agreement (MOAs) with local law-enforcement agencies are required, and no local law-enforcement agents are deputized to enforce immigration laws through Secure Communities. As of October 2010, SComm is available in 686 jurisdictions in 33 states (see Activated Jurisdictions Map – Tab 3). ICE plans to have an SComm presence in every state by 2011, and plans to implement SComm in each of the 3,100 state and local jails across the country by 2013.”

While the finger printing identification process is prioritized to target undocumented criminals, the overall objective of the program is to detain and deport any undocumented person who may be stopped and fingerprinted by local law enforcement officers. “ Yet half of the roughly 27,000 illegal immigrants deported in fiscal year 2010 through the 287(g) program, where federal immigration agents train and supervise local police officers, were initially arrested on misdemeanor or traffic offenses, according to a report published by the Migration Policy Institute. This report also stated that the Southeast had the highest number of deportations that started out as traffic arrests. There is no way to verify if the person stopped was due to racial profiling which is highly suspected.

As of August 2011, President Obama has asked the Department of Justice and Homeland Security to re-examine the targeting of all undocumented unless they have a criminal record. Read more here: www.whitehouse.gov/blog/2011/08/18/immigration-update-maximizing-public-safety-and-better-focusing-resources

Advocacy Efforts:

Currently there is no “opt-out” alternative for states and therefore reinforces the fact that advocates must continue to persevere with efforts to change current “enforcement only” immigration policy. These individuals have broken only civil law (U.S. Immigration Policy) but have committed no crime.

Pastoral Care and Outreach to Undocumented Families:

According to the Pew Hispanic Center, there are currently 11.1 million unauthorized persons residing in the United States. Of these, approximately 70% are in the U.S. labor force filling low-skilled jobs. Employers have trouble fulfilling these positions and the government immigration policy only provides 5,000 green cards annually for these workers. This situation is made more desperate for these workers by Congress who has spent $117 billion of taxpayer dollars on immigration enforcement initiatives that target the undocumented workers in our Spanish speaking communities. Initiatives like 287(g) and Secure Communities. Even with the implementation of these initiatives the undocumented population continues to grow and the demand for foreign born, low-skilled labor has continued to keep up with the demands of the U.S. economy. This penalty driven approach is not working and is having devastating consequences on our undocumented families.

In an effort to provide pastoral care to those families in targeted areas of Central Florida, this plan was developed: to educate Catholics in our parishes about unjust “enforcement only” policies; to educate
the undocumented on their rights when detained; and, to minister to the families who may be impacted by
the detention and deportation of a family member.

Parishes may use this resource packet to:

• Provide prayer, education and advocacy tools for parishioners

• Host “Know Your Rights” Seminars for the undocumented

• Provide pastoral care services and family emergency workshops for families of detainees and deportees

• Recruit parishioners for outreach services to undocumented families

Ministry Goals:

• To identify one or two contacts in a parish community who may network with the Office of Advocacy
  and Justice and develop a comprehensive outreach ministry plan to serve the needs of the parish.
  These contacts will serve as a liaison to the parish (pastor) in order to provide resources and
  information to raise the visibility of this issue in the community. Leadership and ministry development
  will be provided for parish leaders.

• For information and resources: Contact the Office of Advocacy and Justice at 407-246-4819.
  Email: advocacyjustice@orlandodiocese.org.
Florida Bishops Statement on Immigration
January 1, 2011

“When an alien resides with you in your land, do not molest him. You shall treat the alien who resides with you no differently than the natives born among you; have the same love for him as for yourself; for you too were once aliens in the land of Egypt. I, the Lord am your God.”

Leviticus 19: 33 – 34

We, the Catholic bishops of Florida, are deeply concerned with our nation’s flawed immigration system and its impact on the human dignity and lives of our migrant brothers and sisters. This system divides families and causes human suffering to those who search for work in support of their families.

In Florida, our economy is dependent upon manual labor for agriculture, construction and the service industry. Limited numbers of worker visas are available to bring unskilled labor into the U.S. for jobs but too often, demand exceeds need. This has created a market for undocumented workers who may face abuses such as inadequate wages, substandard housing and no benefits with a real threat of exploitation by unscrupulous employers, human smugglers and human traffickers. While the Catholic Church does not advocate for undocumented immigration into the United States, it respects the dignity of the human person and the right to work to meet the basic needs of their families.

The more prosperous nations are obliged, to the extent they are able, to welcome the foreigner in search of the security and the means of livelihood which he cannot find in his country of origin. Public authorities should see to it that the natural right is respected that places a guest under the protection of those who receive him. (Catechism of the Catholic Church, 2241)

The failure of the United States Congress to enact comprehensive immigration reform leaves migrants in search of work without legal protection and vulnerable to mistreatment. At the same time, our State and nation benefits from their work and their taxes, creating a permanent underclass with no rights in our society. In his 1981 encyclical letter, Laborem Exercens, Pope John Paul II expressed that care should be taken to prevent the exploitation of those who must emigrate in order to find work. Furthermore, just legislation must ensure the same criteria apply to immigrant workers as other workers in society. As a moral matter, we cannot accept the toil and taxes of these human beings without offering them the protections of our laws. This is not the American way.

We also have grave concerns about the impact of this flawed system on family unity. Families are the building blocks for society and the place where children are nourished and protected. Too often, backlogs and visa quotas for countries prevent immigrant citizens and legal permanent residents from bringing spouses, parents and minor children from overseas, a wait for some approaching 20 years. The U.S. citizen children of undocumented immigrants are at significant risk if parents are incarcerated and scheduled for deportation.
Our humanitarian concerns with the broken immigration system do not conflict with, but complement the right of the sovereign nation to control its borders. By repairing the system comprehensively, and providing legal means for entry, the nation would replace illegality with legality so that individuals and families could migrate and work in a safe and controlled manner. This would not only protect the rights of the migrant, but also help ensure national security, as law enforcement would be able to focus on those who come to our country to harm us. 

The Church recognizes the right of a sovereign state to control its borders in furtherance of the common good. It also recognizes the right of persons to migrate so that they can realize their God-given rights. These teachings complement each other. While the sovereign state may impose reasonable limits on immigration, the common good is not served when the basic human rights of the individual are violated. (Strangers No Longer: Together on the Journey of Hope, a joint pastoral statement composed by the Bishops of Mexico and the United States.)

While we support the right of the sovereign nation to control its borders, this does not mean that it should be done in a manner that undermines basic human rights. The vast majority of immigrants to this nation are not criminals, which should be taken into account in any enforcement strategy. The recent increases in deportation and the sometimes inhumane treatment of detainees such as refusal to allow contact with families and no legal representation causes us to question the methods used against those already in fear for their lives. Immigration law is complicated and only trained professionals have current knowledge of the laws, not local law enforcement.

Any passing of laws that give legal sanction to profiling people will decrease public safety and discourage reporting of crime. The so-called 'illegals' are so, not because they wish to defy the law, but because the law does not provide them with any channels to regularize their status in our country which needs their labor. They are not so much breaking the law, as being broken by the law.

Instead of passing local and state laws which cause fear in immigrant communities, Congress must bring these persons out of the shadows so they can fully contribute their talents to our nation. The United States Conference of Catholic Bishops has consistently advocated for "a path to citizenship" meaning those who are already present and contributing to society could come forward and pay a fine, undergo a comprehensive criminal background check, show they have paid taxes, are learning English and obtain a visa that would lead to permanent residency. Immigration is a federal issue and there must be a federal solution rather than the attempts to craft varying proposals in several states including Florida.

We call upon our federal delegation to lead the fight for comprehensive immigration reform in Congress. We call upon the Florida legislature to resist efforts to demonize those who provide the labor for our economy and a living for their families. Our Catholic Social Teaching and the tradition of the Church affirm the dignity of every human being, made in the image of God.

Archbishop Thomas G. Wenski  
Archdiocese of Miami  

Bishop Victor Galeone  
Diocese of St. Augustine  

Bishop Robert N. Lynch  
Diocese of St. Petersburg  

Bishop John G. Noonan  
Diocese of Orlando  

Bishop John H. Ricard, SSJ  
Diocese of Pensacola-Tallahassee  

Bishop Gerald M. Barbarito  
Diocese of Palm Beach  

Bishop Frank J. Dewane  
Diocese of Venice  

Auxiliary Bishop Felipe J. Estévez  
Archdiocese of Miami
Declaración de los Obispos de la Florida Sobre la Inmigración
1 de enero de 2011

“Cuando un forastero viva junto a ti, en tu tierra, no lo molestes. Al forastero que viva con ustedes lo mirarán como a uno de ustedes y lo amarás como a ti mismo, pues ustedes también fueron forasteros en Egipto: ¡Yo soy el Señor, tu Dios!”

Levítico 19: 33 – 34

Nosotros, los Obispos católicos de la Florida, estamos profundamente preocupados con el imperfecto sistema de inmigración de nuestra nación y su impacto en la dignidad humana y en la vida de nuestros hermanos y hermanas itinerantes. Este sistema divide a la familia y les causa sufrimientos humanos a quienes buscan trabajo para mantener a su familia.

En la Florida, nuestra economía depende de la mano de obra para la agricultura, la construcción y la industria del servicio. Un número limitado de visas de trabajadores están disponibles para traer mano de obra no calificada a los Estados Unidos para trabajar, pero con demasiada frecuencia la demanda excede la necesidad. Esto ha creado un mercado para trabajadores indocumentados que confrontan abusos tales como salarios inadecuados, viviendas que no cumplen con los requisitos de habitabilidad, y carencia de beneficios, con una verdadera amenaza de explotación de parte de empleadores inscrupulosos, contrabandistas humanos y traficantes humanos. Aunque la Iglesia Católica no aboga por la inmigración indocumentada en los Estados Unidos, respeta la dignidad de la persona humana y el derecho a trabajar para satisfacer las necesidades básicas de su familia.

Las naciones más prósperas tienen el deber de acoger, en cuanto sea posible, al extranjero que busca la seguridad y los medios de vida que no puede encontrar en su país de origen. Las autoridades deben velar para que se respete el derecho natural que coloca al huésped bajo la protección de quienes lo reciben. (Catecismo de la Iglesia Católica, 2241)

El hecho que el Congreso de los Estados Unidos no promulga la reforma total de inmigración deja a los itinerantes que buscan trabajo sin protección legal y vulnerables para ser maltratados. Al mismo tiempo, nuestro Estado y nuestra nación se benefician con su trabajo y con sus impuestos, creando una clase baja permanente sin derechos en nuestra sociedad. En su encíclica Laborem Exercens, publicada en el año 1981, el Papa Juan Pablo II expresó que se debe tener cuidado para prevenir la explotación de aquéllos que tienen que emigrar para encontrar trabajo. Además, una legislación justa tiene que asegurar que el mismo criterio que se aplica a otros trabajadores en la sociedad sea aplicado a los trabajadores inmigrantes. Como una cuestión moral, no podemos aceptar el trabajo y los impuestos de estos seres humanos sin ofrecerles la protección de nuestras leyes. Esta no es la manera americana.

También tenemos graves preocupaciones acerca del impacto que este sistema imperfecto está teniendo en la unidad de la familia. La familia es un componente básico de la sociedad y el lugar donde los niños son alimentados y protegidos. Con demasiada frecuencia, los atrasos y las cuotas de visas para países previenen que los ciudadanos inmigrantes y los residentes permanentes legales traigan a su esposa/o, a sus padres, y a sus hijos menores para, muchos, una espera de casi 20 años. Los niños ciudadanos americanos que son hijos de inmigrantes indocumentados, corren un riesgo significativo si sus padres son encarcelados y designados para ser deportados.

Nuestra preocupación humanitaria con respecto al quebrantado sistema de inmigración no está en conflicto con el derecho de la nación soberana de controlar sus fronteras. Reparando el sistema en su totalidad, y proveyendo medios de entrada legales, la nación reemplazaría la ilegalidad con legalidad, de modo que los individuos y las familias podrían emigrar y trabajar de una manera segura y controlada. Esto no sólo protegería los derechos de los itinerantes, sino también ayudaría a asegurar la seguridad nacional, ya que la policía podría enfocarse en aquellos que vienen a nuestro país para hacernos daño.
La Iglesia en su enseñanza reconoce el derecho que posee todo Estado soberano de controlar sus fronteras para promover el bien común. Así mismo reconoce el derecho que tienen las personas de migrar para gozar los derechos que poseen como hijos de Dios. Estos principios se complementan. Aun cuando el Estado soberano puede imponer límites razonables a la inmigración, no se sirve al bien común cuando se va contra los derechos humanos básicos del individuo. (Juntos en el Camino de la Esperanza Ya No Somos Extranjeros, una declaración pastoral conjunta compuesta por los Obispos de México y de los Estados).

Aunque apoyamos el derecho de la nación soberana a controlar sus bordes, esto no significa que deba hacerse de una manera que socave los derechos humanos básicos. La vasta mayoría de inmigrantes a esta nación no son criminales, lo cual debe ser tomado en cuenta en cualquier estrategia para imponer la ley. Los recientes aumentos de deportaciones y, algunas veces el tratamiento inhumano de los detenidos, como rehusar permitirles ponerse en contacto con la familia, y la falta de representación legal, nos hace cuestionar los métodos usados en contra de aquéllos que ya temen por su vida. La ley de inmigración es complicada, y tan sólo profesionales entrenados tienen un conocimiento actual de las leyes, no de la imposición de la ley local.

Cualquier aprobación de leyes que legalicen hacer el perfil de personas, disminuirá la seguridad pública y desalentará el reporte de crímenes. Los llamados 'legales' lo son no porque deseen desafiar la ley, sino porque la ley no los provee con canales para regularizar su estatus en nuestro país, que necesita su trabajo. Ellos no están tanto quebrantando la ley, como siendo quebrantados por la ley.

En lugar de aprobar leyes locales y estatales que causen temor en las comunidades de inmigrantes, el Congreso tiene que sacar a estas personas de la sombra para que puedan contribuir a nuestra nación con sus talentos a plenitud. La Conferencia de Obispos Católicos de los Estados Unidos ha abogado consistente por "un camino hacia la ciudadanía", es decir, por que aquéllos que ya están presentes y contribuyendo con sus talentos en nuestra sociedad, puedan dar un paso hacia adelante y pagar una multa, ser sometidos a un chequeo de sus antecedentes penales, mostrar que han pagado los impuestos, que están aprendiendo inglés, y obtener una visa que conduciría a la residencia permanente. La inmigración es una cuestión federal y tiene que haber una solución federal, más bien que intentos de elaborar varias propuestas en varios estados incluyendo la Florida.

Le hacemos un llamado a nuestra delegación federal a que dirija la lucha por la reforma total de la inmigración en el Congreso. Le hacemos un llamado a la legislatura de la Florida a que oponga resistencia a los esfuerzos de demonizar a aquéllos que proveen la mano de obra para nuestra economía y un modo de vida para su familia. Nuestra Enseñanza Social Católica y la Tradición de la Iglesia afirman la dignidad de todo ser humano, hecho a imagen de Dios.

Obispo Victor Galeone
Diócesis de St. Augustine

Obispo John H. Ricard, SSJ
Diócesis de Pensacola-Tallahassee

Obispo Robert N. Lynch
Diócesis de St. Petersburg

Obispo Gerald M. Barbarito
Diócesis de Palm Beach

Obispo Frank J. Dewane
Diócesis de Venice

Obispo Auxiliar Felipe J. Estévez
Arquidiócesis de Miami
Welcoming the Stranger Among Us
Pastoral Care of the Undocumented Immigrants

What Can You Do
Pray for these families
Prayer resources available at www.usccb.org/mrs
Volunteer your time and expertise
contact www.advocacyjustice.org
Advocate for Justice
Visit www.justiceforimmigrants.org
Sponsor an activity
Make a donation
Office of Advocacy and Justice
PO Box 1800, Orlando, FL 32802
407-246-4819
advocacyjustice@orlandodiocese.org
www.advocacyjustice.org

Who to Contact:
Catholic Charities Immigration and Refugee Services
407-658-0110
Latino Leadership, Inc.
407-880-4673
Hope Community Center
407-849-5031
United to Serve
Federation of Congregations
727-729-7310
Florida Immigrant Coalition
407-886-5151
Farmworker Association of Florida
407-246-4930
Diocese of Orlando Hispanic Ministry
863-299-3854
Centro Cuadraelpino
407-658-0110
Refugee Services
Catholic Charities Immigration and Naturalization Services
863-299-3854

The Catholic Campaign for Immigration Reform
A Journey of Hope
Immigrants
Justice For
Ministry to the Undocumented Detainees and Family

No family should have to face the sudden disappearance of a loved one. That is exactly what happens every day in our community. With the statewide implementation of Secure Communities, undocumented individuals may be detained and deported through a simple fingerprinting process and taken to a local Enforcement and Removal Operations (ERO) Center, where they are processed and eventually sent to the Krome Detention Center in South Florida.

Detained families are at risk of being separated from their families and taken to a local Enforcement and Removal Operations (ERO) Center where they are processed and eventually sent to the Krome Detention Center in South Florida.

Ministry to the Undocumented Detainees and Family

Individuals who are taken into custody and cannot produce the necessary identification documentation are at risk of being separated from their families and taken to a local Enforcement and Removal Operations (ERO) Center where they are processed and eventually sent to the Krome Detention Center in South Florida.

As ministers of God’s love and witnesses to the dignity of each person, parishes have a unique opportunity to reach out to the detainees and their families. Parish Community Organizing Efforts, Ministry to the Undocumented Detainees and Family, and Family Safety Plan programs provide the necessary support to help these families.

Organizing Efforts
Parish Community ID Program
Mexican Consulate
Family Safety Plan

Educational Seminars
Know Your Rights
Lenten Prayers
Leadership Development
Ministry Manual
Pastoral Care

Resources
Individuals to know their rights that help undocumented individuals.
Initiating programs and activities

Opportunities for Ministry

* Helping family members initiate contact with the detainee
* Praying for detainees and their families
* Providing emergency social service referral
* Assisting with family housing needs
* Advocating for just immigration policies for those who have not committed any crime
* Educating the parish and larger legal community on the impact unjust policies have on human dignity
* Reaching out to the detention facility
* Referring families for legal services
* Reaching out to appropriate agencies and organizations

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As a graduate student in theology, I lived in a large university town near San Francisco. My room was in the basement of the house, where I spent many hours studying some of the best thinkers in the Christian tradition. After getting up one morning, I looked out my window. On the other side of the wall from where I had slept was a homeless man. Physically we were little more than a foot-and-a-half away from each other. Existentially, however, we lived in two different worlds. My reality was a comfortable home, a warm bed and a life of the mind; his was distress and discomfort, a brick mattress and a life of the streets. That experience changed not only the way I thought about theology but also the way I began to do it.

I pondered what the world might look like from his side of the wall: how he thought about life, what he learned about people and, more to the point, if and how he understood God. I had read enough Scripture to know of Christ’s self-identification with the hungry, thirsty, naked, sick, imprisoned and estranged (Mt 25:31-46), but I wondered if my neighbor’s social location gave him a better vantage point than my own from which to understand theological realities.

Gradually I started “migrating” from the comfort of my room, library and ideas about God in search of insight among the vulnerable of the world, the living “texts” of the poor and the challenge of the living God. I began to study theology with “the crucified peoples of today,” as the theologian Ignacio Ellacuría, S.J., described them.

For two decades I have been a “border theologian” doing what might be called “theological ethnography,” which studies Christian faith experience among cultural groups. The method for this approach is shaped primarily by Christian spirituality, or following of Jesus, and Christian theology, a reflection on that experience within the social context of a faith that does justice. The method is rooted in an attempt to understand the gift and challenge of Christian faith, beginning with those who live with acute human suffering, like undocumented migrants or victims of human trafficking.

Geographically, my work is rooted in the narratives of those who migrate between Mexico and the United States, Spain and Morocco, Malta and Libya, Slovakia and Ukraine, and Haiti and the Dominican Republic. Theologically, it explores human experience in frontier
spaces in light of theological themes like creation and redemption, grace and sin, life and death. I search for revelation in deserts, mountains, canals, detention facilities, border towns and broken highways, as well as in the Scriptures, the early church, the work of contemporary writers, Catholic social teaching, the social sciences and the deep desires of the human heart. The pathways into these worlds are sometimes as circuitous and uncharted as a migrant’s journey, even as they are illuminated by a guiding light on a distant horizon.

**A Migration Toward Understanding**

Theological ethnography is born of trial and error, in the messiness of human experience. It involves not only horizontal dimensions related to social issues but a migration into several vertical dimensions as well. Growing up, I came across a pamphlet in which a question was posed: Did you know you could miss heaven by 18 inches? (This is the distance between the head and the heart in most people.) The pamphlet explained that God was not a concept to be understood but a person to be encountered in the depth of one’s being. The same could be said about theology.

For me theology is not simply about “faith seeking understanding” (St. Anselm) but also about generating knowledge born of love. Migrants, for the most part, do not care what I know but want to know that I care. Many scholars, conversely, do not care that I care but primarily care about what I know. Theological ethnography emerges from the heart and the head, the pastoral and the academic, rooting its reflection in the life of people.

As theology in general becomes more professionalized, however, we theologians can lose touch with the pastoral life of the church, causing the task of faith seeking understanding to degenerate into a career in which understanding seeks recognition. When this happens theologians can spend much time answering questions that no one is asking and speaking in a language few understand, while ignoring pressing issues that affect the human community and offering little guidance or nourishment for this journey to a better homeland.

As discourse about religion becomes politicized, I worry that people of faith forgo deeper reflection on the Gospel message and take refuge in hollow platitudes, simplistic answers or shallow cultural norms. In doing so they foreclose any serious opening of the religious mind and subject themselves to false certitudes, eclipsing the light of past wisdom that can guide our journey to a better world. Theological reflection is short-circuited when inner walls leave Christians 18 inches short of a life-giving message because of sterile intellectualism, lobotomized fundamentalism, obsessive rubricism, privatized pietism or frenetic activism. What Native American elders said of the pilgrimage of life could also be said of theological understanding: the long journey of human life moves from the head to the heart and back to the head again. It is a journey, I would add, that leads Christians out to serve their neighbor in need.

While it shares much with other theological approaches, my method involves the study of the written word (printed texts), attentiveness to the spoken word (living texts), engagement with the marginal word (crucified texts), and understanding of the contemporary word (cultural texts), expressed at times through multiple media or the
visual word (symbolic texts). All of these texts are an integral part of the task of theology, serving the evangelizing mission of the church in its proclamation of the incarnate Word (the revealed text).

In brief, my theological method is based on the Incarnation—the belief that God migrated to humanity so all of us in turn could migrate back to God. Broadly considered, these elements are woven together in a process that involves 1) immersion in the world, especially into the life of the poor; 2) “interfluence,” or the ways in which the lived experience of Christian faith and the deposit of Christian tradition mutually influence each other; and 3) an interpretation of life that seeks to deepen our relationship with God and each other. This method is not just about retrieval and application, nor the gathering of new information for human formation. Rather it is a vision of life that leads to transformation and the construction of a new imagination.

A MIGRANT GOD FOR A MIGRANT PEOPLE

Not long ago on the coast of Morocco, one of the global hotspots of international migration, I spoke with three refugees on their way to Europe. One had come from Sudan, another from Somalia and the third from Uganda. They had made their way through Africa over many months, enduring unimaginable hardship. They talked about eating insects and drinking urine to stay alive, going a year without a shower and hiding in mountains, stowing away on buses and undergoing human rights violations, losing a sister to the harsh elements of the Sahara Desert and struggling to find work. After they chronicled these abuses and degradations, I wondered how they could speak about God in this kind of hell.

I asked the refugee named Emmanuel, “Have you ever wondered how all this can happen to you if God is love?” Quickly and emphatically he responded: “The problem is not with God; it is with human beings. God does not want us to go through all this or live this way.” Though not the first person to articulate this insight, Emmanuel’s marginal social setting gave his words particular clarity and authority. I listened attentively for three days. In time I realized that the refugees’ experiential data and initial theological insights were only part of the equation and that sometimes one’s understanding of God must undergo a total course correction.

When Emmanuel discovered that I did research on migration and theology, he said: “Some people say the reason we are suffering so much here in Africa is because we are descendants of Judas; because of what he did to Jesus we are paying the consequences. What do you think of that?” This was a theological statement, a debilitating one. His words caused me to look for a critical correlation between his experience and the liberating message of the Gospel.

I began to share with these refugees a theology of migration, based on the truth that God in Jesus Christ so loved the world that he left his homeland and migrated into the far distant territory of humanity’s sinful and broken existence. There he laid down his life on a cross so that we could be reconciled with God and migrate back to our homeland, where there is peace, harmony, justice and life. I went on to explain how God’s love in Jesus is so boundless that it cannot be walled in or contained by human attempts to constrict it. God
always crosses over the divisions we create in order to help us find a right relationship with God and each other.

First, a theology of migration crosses over the nonhuman-human divide and so brings out the dignity of the human person, especially those who, like migrants, are treated like insects, dogs or slaves. Second, it crosses the divine-human divide, and thus helps us see the utter gratuitity of God, who moved from his homeland with a love that could not be limited by legal or political policies and reached out to those whose lives are most threatened—the sinner, the tax collector, the prostitute, the outsider and the poor. Third, it crosses the human-human divide, as is revealed in Jesus’ ability to cross racial, religious, political, economic and social barriers to foster a vision of human solidarity that highlights our interconnection as one family of God. Fourth, it crosses the country-kingdom divide, where we begin to see beyond national identities in recognition that the Christian’s true citizenship is in heaven; our true calling is to cross borders as agents of God’s reconciliation. As pilgrims of faith, Christians are spiritual migrants searching for a true homeland, an identity that should make us more sympathetic to all people on the move today. I said that the word alien describes not those who lack political papers but those who have so disconnected themselves from their neighbor in need that they cannot see in the stranger an image of themselves, a reflection of Christ and a challenge to human solidarity.

After I finished speaking, Emmanuel suddenly jumped up from the table, raised his eyes to heaven and shouted in a loud voice, “Yeah God! I can’t believe you would be that good to me!” My own life and words became invisible to him; what remained was not theology but doxology, not words but praise. More than factual retrieval, brilliant concepts or propositional truths, theology is about an engagement of faith with life that heals and empowers as it seeks to discern the fingerprint of God in a common sojourn from creation to new creation.

Daniel G. Groody, C.S.C., an associate professor of theology at the University of Notre Dame, has written articles and books on migration, globalization and theology, including Globalization, Spirituality, and Justice: Navigating a Path to Peace. His films include the documentary “Dying to Live: A Migrant’s Journey.”
WARNING: Do NOT go to any immigration office or to immigration court if you are undocumented. This includes accompanying someone else to immigration court or going to immigration to ask a question. The only exception is if you are given or mailed a “Notice to Appear” or a hearing notice, ordering you to go to immigration court for a hearing. If you receive such a notice and fail to go to your hearing, you will be ordered deported.

Know Your Rights Card
Clip and save the card below. If you are questioned or detained by the police or immigration, hand the card to the official and do not say anything more.

To Whom It May Concern:
Please be informed that I am choosing to exercise my right to remain silent and the right to refuse to answer your questions. If I am detained, I request to contact an attorney immediately. I am also exercising my right to refuse to sign anything until I consult with my attorney.

Know Your Rights!
We ALL Have Rights

What Immigrants Need to Know.

THE BASICS
Rules to Follow If You Are Undocumented and Questioned by a Law Enforcement Officer (Police, FBI or Immigration) Anywhere:
• Be calm and polite. Never physically resist a government official.
• If you are asked for your name, give your name but say nothing else.
• Ask if you are free to leave. If not, ask to speak with a lawyer.
• Show the officials the Know Your Rights card.
• Do Not give government officials information about your immigration status or tell them where you were born.
• Do not lie. Never tell them that you are a U.S. Citizen if this is not true.
• Do not carry documents (such as a passport or driver’s license) from another country.
• Do Not carry fake documents (including, for example, someone else’s green card or social security card that you claim is yours). You can be criminally prosecuted for having false documents.

Florida Immigrant Advocacy Center, Inc.
A non-profit organization dedicated to promoting and protecting the basic human rights of immigrants of all nationalities.
3000 Biscayne Blvd, Suite 400, Miami, FL 33137
Tel.: (305) 573-1106
www.fiacfla.org

The Florida Immigrant Coalition
A statewide coalition fighting for fair treatment of immigrants in Florida.
8325 NE 2nd Avenue, Suite 206
Miami, FL 33138 Tel.: (305) 571-7254
www.floridaimmigrant.org
**Passengers:**

If the police ask questions, you should ask if you have to answer them. Provide your name and any information you have about the vehicle or the situation.

If you are asked to get out of the vehicle, you should do so only if the officer is requesting it.

**Drivers:**

If you are asked to stop, you should do so immediately and follow the officer's instructions.

If you are asked to provide documents, you should provide them and keep them readily available.

If you are asked to sign a document, you should do so only if you understand the content.

**At the Workplace:**

If you are asked to sign a document, you should do so only if you understand the content.

If you are asked to provide information, you should provide it honestly and accurately.

If you are asked to answer questions, you should ask if you have to answer them.

If you are asked to provide documents, you should provide them and keep them readily available.

If you are asked to sign a document, you should do so only if you understand the content.

**At Home:**

If you are asked to provide information, you should provide it honestly and accurately.

If you are asked to answer questions, you should ask if you have to answer them.

If you are asked to provide documents, you should provide them and keep them readily available.

If you are asked to sign a document, you should do so only if you understand the content.
INMAGTENTES INOCOLOMADO:
ÁREAS PELIGROSAS PARA

INFARTE DE CORAZÓN:
- Evite el alcohol y fumar.
- Mantenga una dieta saludable.
- Tenga actividad física regular.
- Medite.
- Controle su peso.
- Reduzca el estrés.

CONDUCTOR:
Si no tiene una licencia, debe obligar a un conductor responsable.

EN EL CARRO:
- Llame a la policía.
- Llame a la casa de la casa.

EN EL TRABAJO:
- Llame al número de emergencia.
- Llame al número de la policía.

EN CASA:
- Llame a la casa de la casa.
- Llame a la policía.
For more information contact:

www.immigrationadvocacy.org
1100 Biscayne Blvd., Suite 400 Miami, FL 33132
Tel: (305) 373-1100

The Florida Immigrant Coalition (FIC)

www.floridaimmigrant.org
Miami, FL 33132 Tel: (305) 371-7224
8235 NE 2nd Avenue, Suite 306
Yemen Caritas Miami, FL 33134

Please be informed that I am choosing to exercise my right to remain silent and the right to refuse to answer your questions. If I am detained, I request

To Whom I May Concern:

www.immigrant-advocacy.org
Kosmos: FL 33132 Tel: (305) 371-7224
8235 NE 2nd Avenue Suite 306
Kosmos: FL 33134

For more information contact:

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1100 Biscayne Blvd., Suite 400 Miami, FL 33132
Tel: (305) 373-1100

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**CONOZCA SUS DERECHOS!**

Si Inmigración o la policía lo detiene:

- Pasar la tarjeta al agente y guardar silencio.
- La tarjeta explica que usted quiere ejercer su derecho a no contestar preguntas sin consultar con un abogado.

**ESTIMADOS SEÑORES:**

Deseo ejercer mi derecho a guardar silencio y no contestar preguntas. Si me detienen, solicito comunicarme de inmediato con un abogado.

Quisiera ejercer además mi derecho a no firmar nada sin consultar con mi abogado.

Gracias.

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Quisiera ejercer además mi derecho a no firmar nada sin consultar con mi abogado.

Gracias.
KNOW YOUR RIGHTS!

If you are detained by immigration or the police:

9 Hand the card to the official, and remain silent.
9 The card explains that you are exercising your right to refuse to answer any questions until you have consulted with a lawyer.

TO WHOM IT MAY CONCERN:

Please be informed that I am choosing to exercise my right to remain silent and the right to refuse to answer any questions. If I am detained, I request to contact an attorney immediately. I am also exercising my right to refuse to answer any questions until I consult with my attorney.

Thank you.
Comunidades Seguras
es un programa nacional de inmigración
y le puede afectar a Usted!

Este programa usa las
huellas digitales para
investigar automáticamente
en una base de datos
nacional, el historial
criminal y migratorio de cualquier
persona arrestada.

No es necesario que la policía o el
gobierno local firmen un acuerdo con
ICE para implementar este programa,
porque ICE firma un acuerdo con las
agencias del estado que administran
las huellas digitales obtenidas de los/as
arrestados/as.

♦ Bajo este programa, cualquier delito se puede usar
contra usted para deportarlo/a.

♦ Sus datos pueden ser enviados a ICE en cualquier
momento del arresto.

♦ Aunque los cargos sean retirados, o declarados
ilegales, ICE tendrá los datos de sus huellas
digitales y los podrá usar en su contra.
No importa si usted ha sido víctima de violencia, ICE conservará sus huellas digitales aún después de que se retiren los cargos o si el arresto fue injustificado. Actualmente, no hay manera de retirar los datos de huellas digitales una vez que se envían a ICE.

Este programa no excluye a menores de edad; las prácticas varían de un lugar a otro.

Una vez que ICE ha obtenido sus huellas digitales, usted puede ser arrestado/a por ICE y el proceso de deportación iniciaría. Si no encuentran su información en la base de datos, ICE puede intentar hacerle una entrevista por teléfono, videoconferencia o en persona para determinar si usted no es ciudadano/a.
ICE puede utilizar una “orden de detención” que dura 48 horas después de que su caso sea resuelto, para tener tiempo de encontrarlo/a en el sistema penal. Pida una copia de la orden de detención porque es ilegal que lo detengan por más de 48 horas. Si esto pasa, usted puede presentar una queja formal o demandarlos.

Si usted no es ciudadano/a, corre el riesgo de caer en este sistema. Por ejemplo, personas con órdenes de deportación previa, cualquier extranjero/a con una condena penal o aquellos/as que han violado su estadía legal de visa.

Personas que hayan entrado el país ilegalmente corren menos riesgo, ya que ICE no tiene ninguna información de sus datos. Pero aún así, ICE puede entrevistarlos/as.
∗ ICE está colaborando con la policía local y la Ciudad para obtener más información acerca de su estatus migratorio.

∗ ICE les pide a las autoridades locales que incluyan esta iniciativa como parte de su programa de vigilancia comunitaria.

Aunque este programa ha sido supuestamente diseñado para enfocarse en criminales, el Departamento de Seguridad Nacional ha comprobado que la mayoría de las personas afectadas, no cometieron ningún delito grave!
Si Usted está bajo la custodia de la policía o ICE, usted tiene el derecho de mantenerse en silencio y de no firmar ningún papel. No responda a ninguna pregunta y pida hablar con su abogado de confianza.

Si usted piensa que lo/a discriminaron o sus derechos civiles fueron violados durante su detención, llame a organizaciones de derechos humanos!

Asegúrese de documentar lo ocurrido inmediatamente!

Tome información de testigos, y los nombres o números de placa de los/as agentes de policía.

Creado por la Red Nacional de Jornaleros y Jornaleras (NDLON)
Destapa la Verdad Detrás de la Colaboración entre ICE y la Policía -
Ficha Informativa Sobre Comunidades Seguras

Esta hoja informativa forma parte de la campaña Destapa la Verdad: www.uncoverthetruth.org
convocada por el Centro de Derechos Constitucionales, la Red Nacional de Jornaleros y
Jornaleras, y la Clínica de Justicia Migratoria Cardozo.

¿Qué Es Comunidades Seguras y Cómo Le Afecta A Usted?

1. ¿Qué es Comunidades Seguras?
Comunidades Seguras (“SCOMM”) es un programa nacional de inmigración dirigido a los/as no-
ciudadanos que son detenidos/as por la Policía. Las autoridades locales deben consentir el
aplicar SCOMM. Es uno de los programas sobre control migratorio de más rápido crecimiento
en el país.

2. Necesita la Policía o el gobierno local firmar un acuerdo con ICE para
implementar Comunidades segura?
No necesariamente. ICE firma un acuerdo con las agencias del estado que administran las
impresiones dactilares obtenidas de los/as arrestados/as. ICE trata de obtener el acuerdo de los
gobiernos locales a ejecutar el programa.

3. ¿Cómo funciona SCOMM?
Si usted es arrestado/a por la Policía, se toman sus huellas digitales y se remiten a ICE. Las
huellas dactilares se comparan con las bases de datos de Inmigración y del FBI. ICE evalúa cada
huella digital tomada para ver qué medidas se aplicarán en su contra, si deciden aplicar alguna.
Las medidas pueden incluir el ser arrestado/a por ICE, la transferencia a la custodia de ICE y/o
el inicio de un proceso de deportación.

4. ¿Qué delitos provocarán la aplicación de SCOMM?
Todos los delitos (a menos que su comunidad haya elaborado un acuerdo por separado). Por
ejemplo, alteración del orden público, asalto, traspaso a la propiedad privada, vandalismo y
conducción descontrolada del vehículo son algunos de los cargos que se llevarán a cabo a través
del sistema SCOMM.

5. ¿Cuándo se enviarán mis huellas digitales a ICE?
Después del arresto, cuando se cree su ficha personal en la estación de policía. Durante el
proceso de fichaje, la policía lo entrevistará, recopilará información biográfica detallada suya,
escaneará sus huellas digitales y le tomará fotografías.

6. ¿Tendrá ICE mis huellas digitales si mi arresto es descartado o pronunciado
illegal?

Debido a que sus huellas digitales se transmiten durante el proceso de fichaje, ICE tendrá los datos de sus huellas digitales aunque los cargos sean retirados o declarados ilegales.

7. ¿Qué pasa si los cargos son eliminados por completo o se han cambiado por cargos menores?

ICE tendrá sus huellas digitales, ya que fueron transferidas cuando crearon la ficha con su información por su infracción original.

8. ¿Qué pasa si soy víctima de violencia doméstica y la Policía nos arresta a mí y a mi agresor/a, pero los cargos en mi contra son posteriormente retirados?

Si usted es acusado/a de un delito que no está en la lista de exenciones, ICE conservará sus huellas digitales aún después de que se retiren los cargos, porque se habrán transferido en el momento de su arresto y proceso de fichaje. Actualmente, no hay manera de retirar los datos de huellas dactilares una vez que se envíen a ICE; incluso si los cargos son, en última instancia, retirados o si el arresto fue injustificado.

9. ¿Cómo afecta esto a los/as menores?

ICE no excluye las huellas dactilares de los menores de SCOMM; las prácticas varían de un lugar a otro.

10. ¿Qué puedo hacer después que ICE obtenga mis huellas digitales?

ICE evalúa cada caso para ver qué medidas de acción tomará. Las medidas pueden incluir el ser arrestado/a por ICE, la transferencia a la custodia de ICE y/o el inicio de un proceso de deportación. Si la base de datos no es concluyente, los agentes de ICE pueden intentar hacerle una entrevista por teléfono, videoconferencia o en persona para determinar si usted no es ciudadano/a. Después de ser fichado/a, los agentes de ICE podrán solicitar que la Policía les ayude a recopilar información suya para poder determinar si usted no es ciudadano/a. Usted debe preguntarle a su Departamento de Policía sobre la decisión de ellos de conceder estas peticiones de ICE.

En general, ICE utiliza una "orden de detención" para encontrarlo/a a usted en el sistema de justicia penal. La orden de detención es una forma que usa ICE (Formulario I-247) para solicitar, a la Policía o a la cárcel, que lo/a detengan por unas 48 horas extras luego de que su caso criminal haya sido resuelto o que le hayan ordenado salir de la cárcel, para que ICE pueda recogerlo/a. Pídale una copia de la orden de detención de ICE a los/as agentes de policía, funcionarios/as de la cárcel, o a su abogado/a defensor/a. Si la Policía o la cárcel lo/a detiene por más de 48 horas después que su caso criminal ha terminado, entonces se le está reteniendo de manera ilegal. Presente una queja con la cárcel o la Policía. Usted puede presentar una demanda en contra de ellos.
11. ¿Quién corre mayor riesgo en el marco del programa SCOMM?
Todo el mundo. Las personas con órdenes de deportación previa, cualquier extranjero con una condena penal o aquellos/as que han violado los términos de los visados corren un riesgo muy alto.

Podría decirse que no se dispone de ninguna información de huellas dactilares en la base de datos del DHS de individuos indocumentados/as que entraron al país sin inspección, aunque ICE podrá decidir que sean entrevistados/as.

12. ¿Significa esto que la Policía o mi ciudad está colaborando con ICE?
Sí. Aunque el programa de SCOMM es un programa de tecnología, ICE debe confiar en los agentes del orden locales y cárceles para recoger o enviar información sobre su estado migratorio que fue adquirido durante su proceso de fichaje. Esto significa que si la base de datos de SCOMM no está clara, ICE va a checar con su Policía local o cárcel para ver si se puede obtener más información acerca de su estado migratorio.

13. ¿Es esta la policía comunitaria?
Muchos Departamentos de Policía ven este programa como parte de su Programa de Policía Comunitaria. ICE les pide a las autoridades locales encargadas de su aplicación, incluirlo como una iniciativa de vigilancia comunitaria. Sin embargo, muchos grupos creen que SCOMM debilita las políticas de vigilancia de la Policía Comunitaria, ya que representa la colaboración con ICE. Las agencias locales de aplicación de la ley y los jefes policiales han rechazado la colaboración con ICE, ya que mina la confianza ciudadana. De por sí ya es muy difícil para la policía local trabajar con las comunidades inmigrantes debido a la desconfianza y el temor a la deportación. Este programa aumentará aún más la tensión y estos temores. Cuando los/as miembros de la comunidad tienen miedo a la aplicación de la ley, hay menos seguridad para todos/as.

14. El gobierno local dice que SCOMM ha sido diseñado para atacar criminales graves. ¿Es eso verdad?
Estadísticamente el Departamento de Seguridad Nacional tiene sus propios datos que indican que la mayoría de las personas identificadas a través de SCOMM fueron acusados/as de delitos menores. Además, el programa transfiere las huellas dactilares al momento de un arresto, no de una condena. (Esto significa que las huellas dactilares se transferirán antes que la persona haya sido condenada por algún delito.)

15. ¿Qué debo hacer si ICE trata de hacerme una entrevista mientras estoy bajo custodia policial o en la cárcel?
Usted no tiene que hablar con los/as agentes de ICE ni tiene que firmar ningún papel. Usted no tiene que responder a preguntas sobre su estado migratorio. Manifieste que va a guardar silencio hasta que hable con su abogado/a. Asegúrese de decirle a su abogado/a/defensor/a o defensor/a público/a que ICE ha tratado de contactarlo/a a usted y pidale que evalúe las
consecuencias migratorias de cualquier posible acuerdo de culpabilidad o condena. Solicite una copia de la orden de detención de su abogado/a defensor/a, la Policía o la cárcel.

16. ¿Qué hago si siento que fui detenido/a a causa de mi origen étnico o raza o sufrí otros abusos a los derechos civiles de parte de la Policía en el nombre de la aplicación de la ley de inmigración?

Póngase en contacto con su organización local de derechos de inmigrantes o la ACLU local. Escriba una descripción de lo ocurrido lo más pronto posible después del evento, y recoja información de testigos, si los hubiere. Si usted recuerda los nombres o números de placa de los/as agentes de la cárcel o de policía que lo/a abusaron escribálos también.
Educational Seminars

Please contact the following agencies for “Know Your Rights” and Family Emergency Planning seminars:

Catholic Charities Immigration and Refugee Services
407-658-0110

Centro Guadalupano
863-299-3854

Diocese of Orlando Hispanic Ministry
407-246-4930

Farmworker Association of Florida
407-886-5151

Florida Immigrant Coalition
727-729-7510

Federation of Congregations United to Serve
407-849-5031

Hope CommUnity Center
407-880-4673

Latino Leadership, Inc.
407-895-0801

National Farm Worker Ministry
386-801-1232

For parishes with a high Mexican population, contact the Mexican Consulate for Identification and Documentation Workshops.

Alberto Fierro
Consul of Mexico
Consulate of Mexico
Orlando Executive Center
2550 Technology Drive
Orlando, FL 32804
407-422-5640
407-422-9633 (fax)
afierro@conorlando.net
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*Important Note: This Training Curriculum is for educational purposes only. The contents do not constitute legal advice. Consult an immigration lawyer for legal advice.*
Overview

The Department of Homeland Security (DHS) has dramatically stepped up enforcement in the interior of the country. DHS agents of the Immigration and Customs Enforcement (ICE) Division are arresting immigrants at their homes, workplaces and on the streets in communities all across the country.

The numbers of immigrants arrested in ICE enforcement operations is staggering. For example, 4,077 workers were swept up in workplace raids and charged with administrative violations in Fiscal Year (FY) 2007. Already this year (through August 2008), roughly 3,900 workers have been arrested and more than 1,000 individuals have been criminally charged. Also, ICE’s Criminal Alien Program (CAP) initiated formal removal proceedings against 164,000 immigrants serving prison terms in FY 2007. This number is expected to grow throughout FY 2008 and FY 2009. Additionally, ICE’s Fugitive Operations Teams arrested over 30,000 individuals in FY 2007, double the number in FY 2006. These numbers also are expected to be higher in 2008 and 2009 as ICE added 29 new Fugitive Operations Teams to its existing 75 teams in September of 2008.

Given this enforcement environment, it is important for members of our communities to develop a family safety plan if they are at risk of arrest and detention. This training curriculum is designed for trainers that will present Family Safety Planning Training in their communities. Through this training, participants will learn about the issues that they need to think through as well as the paperwork and documents that they need to gather in order to help themselves and their family members.

Special Thanks: CLINIC would like to acknowledge and thank the work of the Immigrant Defense Committee in Chicago, Illinois, which developed excellent and comprehensive training materials that inspired and helped inform CLINIC on the components of an interactive training. Additionally, CLINIC would like to acknowledge and thank the work of Hogar Hispano in Virginia for allowing us to attend their trainings and adapt their materials. Hogar Hispano’s work and materials also inspired and contributed to this training curriculum. Lastly, CLINIC gratefully thanks the National Immigration Project of the National Lawyers Guild, CASA de Maryland, and the Political Asylum/Immigration Representation Project (PAIR) for their expertise and materials.
Methodology

Purpose:
On a daily basis, ICE is carrying out enforcement actions throughout the country. Immigrants and their families are fearful that ICE will come to their homes, neighborhoods and workplaces to arrest and detain them. Given the surge in enforcement and the real fear that immigrants experience every day, it is important that individuals and their families consider developing a family safety plan.

Goal:
Educate participants about the need for a family safety plan if they are at risk for arrest and detention.

Expected Outcome:
Participants decide to develop a safety plan for their family if they are at risk for arrest and detention, including gathering important paperwork, filing out emergency information sheets, working out childcare and financial issues, as well as hiring a lawyer that will assist them if they are arrested and detained.

Number of Trainers:
The training is designed for 2 or 3 trainers. Ideally, at least one of the trainers should be bilingual.

Number of Participants:
The training is designed for any number of participants – both large and small groups will benefit from the information.

The Components of the Training:
Trainers can follow the timeline below for the 1 hour training.
1. Review Purpose, Agenda, and Goals of Workshop (5 minutes)
2. Introductions (5 minutes)
3. Family Safety Planning (20 minutes)
4. Childcare and Financial Issues (13 minutes)
5. Passports for Children (12 minutes)
6. Questions and Answers (5 minutes)
Optimal Time for Training:
This is a one hour training that focuses exclusively on safety planning for individuals and families. CLINIC also has developed a two hour Community Education Training on “legal rights, “family safety planning” and “detention” that is available on our website at: www.cliniclegal.org.

List of Supplies & Materials

Supplies:
- Name Tags
- Pens, Markers
- Flip Chart

Materials:
You will need to make copies of the following materials. Ideally, all participants will receive one copy.
- Family Safety Planning Checklist (English and Spanish versions)
- Emergency Information Sheets (English and Spanish versions)
- Sample Letter for Designating a Temporary Caregiver
- Sample Letter Regarding Pay Checks
- Steps for Submitting Form DS-11
- Instructions: Special Passport Requirements for Children Under 16
- Form DS-11: Application for a U.S. Passport
- Information and Form DS-3053
- Secondary Evidence Information
- Passport Fees
- National Passport Information Center
Breakdown of Methodology for Training

1. Welcome, review of the purpose, agenda, goals and expected outcomes of training.
   Time: 5 minutes
   Objective: Let participants know what the focus will be and what to expect.
   Technique: Presentation by trainer.
   Materials: Flip chart with agenda and goals listed.
   Procedure: Trainers welcome everyone to the training and covers the purpose, agenda and goals for the training.

2. Introductions
   Time: 5 minutes
   Objective:
   ✓ Let participants get to know who else is attending the training.
   ✓ Participants get a sense that this is a community issue and that they are not alone.
   Technique: Group participation.
   Materials: None
   Procedure: Trainers tell the group that everyone will get the chance to introduce themselves. One trainer starts, she says her name and something about herself and each person follows.

3. Family Safety Planning
   Time: 20 minutes
   Objectives:
   ✓ Participants learn that it is important to have a safety plan if they are at risk of arrest and/or deportation.
   ✓ Participants learn what information and paper to gather now.
   ✓ Participants learn the importance of hiring a lawyer now.
   ✓ Participants learn the importance of thinking through child care issues and financial issues and developing a plan.
   Technique: Verbal presentation by trainers.
   Procedure: Trainers go through checklist with participants. Trainers emphasize that participants should go through the checklist with their families at home and gather important papers and discuss important issues.
4. Childcare and Financial Issues  
**Time:** 13 minutes  
**Objectives:**  
- Participants learn about the importance of developing a plan for childcare issues and financial issues if they are at risk of arrest and detention.  
**Technique:** Verbal presentation by trainers  
**Materials:** Copies of Emergency Information Sheets, Sample Letter for Designating a Temporary Caregiver, Sample Letter Regarding Pay Checks  
**Procedure:** Trainers go through materials with participants.

5. Passports for U.S. Citizen Children  
**Time:** 12 minutes  
**Objective:** Ensure that parents understand the importance of obtaining passports for U.S. citizen children so that they can visit the parents' home country but come back and forth to the U.S.  
**Technique:** Verbal presentation by trainers.  
**Procedure:** Trainers go over the forms and instructions with participants.

8. Questions and Answers  
**Time:** 5 minutes  
**Objective:** Give participants an opportunity to ask questions.  
**Technique:** Open discussion.  
**Materials:** None  
**Procedure:** Trainers ask participants if they have any questions. Trainers answer any questions. Trainers thank participants for coming.
S-COMM

A Toolkit for Advocates

Prepared for July 8, 2010 California Statewide Teach-In cosponsored by American Civil Liberties Union of Northern California, American Civil Liberties Union of San Diego & Imperial Counties, American Civil Liberties Union of Southern California, Asian Americans for Civil Rights and Equality, Asian Law Caucus, Asian Pacific American Legal Center, Coalition for Humane Immigrant Rights of Los Angeles, California Immigrant Policy Center, California Rural Legal Assistance Foundation, Committee on Immigrant Rights of Sonoma County, Immigrant Legal Resource Center, Lawyers’ Committee for Civil Rights, National Immigration Law Center, San Francisco Immigrant Legal Education Network, Services Immigrant Rights and Education Network, Warren Institute at Berkeley Law.
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California began participating in S-COMM in April 2009 when the California Department of Justice (Cal DOJ) signed a Memorandum of Agreement (MOA) with ICE. See APPENDIX B. Pursuant to this agreement, fingerprints sent by local law enforcement agencies to Cal DOJ are now forwarded by the FBI to DHS for checks against immigration databases.

Since its inception, S-COMM has been the subject of intense debate and criticism. S-COMM allows local law enforcement to screen an arrested individual’s immigration status, regardless of whether he/she has been convicted or even charged with a crime. Additionally, an immigration hold is automatically placed regardless of whether the arresting charges are dropped. ICE asserts that the purpose of SCOMM is to target violent criminals for removal, but ICE’s own figures belie this assertion. Of the 100,775 individuals identified through S-COMM from October 2008 to October 2009, roughly 86 percent were arrested for low level offenses such as driving without a permit, and nearly 5 percent of those identified were U.S. citizens.2

The institution of a CAP immigration screening program in Irving, Texas, was shown to result in increased arrests of Latinos for misdemeanors and other petty offenses. Because S-COMM is also an immigration screening program and operates with very few guidelines or limits, it creates an increased risk of racial profiling and pretextual arrests. In addition, S-COMM’s broad-sweeping net wrecks havoc in our communities, causing immigrant communities to fear interactions with the police and making all communities less safe. In response to the disastrous implications of this program, advocates across the state have been working to prevent implementation of the program at the local level, trying to pressure local agencies to seize upon the so-called “opt-out” provision. Although ICE has publically affirmed local agency authority to choose not to participate in the program, or to “opt-out”, it has made the process for doing so extremely unclear.

The first local law enforcement agency to publically make known its desire to opt-out of S-COMM was the San Francisco Sheriff’s Department. Initially Sheriff Hennessey made his initial request to opt-out of S-COMM to Cal DOJ. On May 18, 2010, Sheriff Hennessey formally requested assistance from California Attorney General Jerry Brown to opt-out of S-COMM (see APPENDIX C). In a letter dated May 24, 2010, Brown responded denying Hennessey’s request and indicating that he considered participation in SCOMM a statewide rather than local concern (see APPENDIX D). Sheriff Hennessey subsequently directed his request for opt-out to ICE through the S-COMM program director; he was informed that there was no federal opt out and that San Francisco would have to opt out through the state. In essence, ICE, the FBI and Cal DOJ have given Sheriff Hennessey and advocates the run-around on whether a local agency can opt-out, and if so, how.

The current status of the opt-out question has presented advocates and local law enforcement and government agencies with significant difficulty in determining the way forward. However, even local officials who may be unwilling or unable to “opt out” of S-COMM, can and should monitor the impacts of the program on police practices and public safety. The materials that follow aim to help advocates work with their local law enforcement and government officials to push the issue, and ultimately, to stop California’s participation in S-COMM.

Getting Started: Forming an Advocacy Strategy

Information Gathering Part I: How do I find out if my locality has signed up?

✓ Check the ICE website on S-COMM deployment:

  ICE doesn’t always keep this information up to date—sometimes localities are participating in S-COMM despite not appearing on the deployment list. You can also check the public announcements page within the ICE website where ICE sometimes announces when a community opts-in.

✓ Check with your contacts in the criminal justice system & local government

  Public Defenders or Prisoner’s Rights Groups: Try calling a public defender or prisoner’s rights group. Although a public defender may not know the specific names of the programs operating in the jails, he or she will likely have an excellent sense about how noncitizens are treated within the criminal justice system.

  Police or Sheriff: Also try calling the local police department or sheriff’s office to inquire about their participation in S-COMM.

  Representative at the Dept. of Corrections or county jail: Contact the communications office of the jails or prisons. Sometimes the public defender or representative from a prisoner’s rights group will have better success making the contact for you.

  Local City or State Government Officials: For example, city council members, individuals from the mayor’s office or the office for new immigrants might be able to ask questions on your behalf.

Information Gathering Part II: Research that will support building blocks of a campaign

✓ Does your locality have a policy around immigration enforcement? If you have an ordinance, see if it has been violated by enrollment in S-COMM either explicitly or in principle.

✓ Do you have a community policing program or an office of police complaints? Do any policies involve immigrant access to law enforcement? Does your law enforcement office have an anti-racial profiling policy or prevention program?

✓ Who are your allies or champions in local government or law enforcement? What decision-maker has a strong immigrant constituency? Do they oversee public safety?
Strategies for County Sheriff:

- Write letters to ICE and Cal DOJ asserting opposition to participation in S-COMM (see Sheriff Hennessey’s letter, APPENDIX C)
- Adopt and implement Monitoring Guidelines on impact of police practices and community relations (see below “Proposal for Auditing/Data Collection”)
- Training to reaffirm commitment not to use race or suspected immigration status as basis for field officer or booking officer action
- Clarification of policies to minimize arrests
  - Accept non-California issued ID to minimize arrests for citable offenses (see East Palo Alto Resolution No. 2079, APPENDIX F)
  - Avoid participation in checkpoints
  - Train officers that suspected unlicensed driving alone is not generally a valid basis for traffic stop or arrest (Cal. Vehicle Code §§ 14607.6(b), 12801.5(e))
- Limit recognition of immigration detainers for persons not convicted and/or not charged with serious offense (please contact toolkit authors for legal support)
- Limit duration of immigration detainer hold to 24 hours including weekends and holidays

Strategies for Police Department/Chief of Police:

- Adopt policies and practices that minimize arrests for citable offenses (see recommendations for Sheriff, above)
- Training reaffirming commitment not to racially profile and not to stop or arrest people based on suspected immigration status
- Data collection based on monitoring guidelines (see below “Proposal for Auditing/Data Collection”)

Actions by City Councils in affected county:

- Ordinances promoting the use of Consular and other foreign IDs (see East Palo Alto Resolution No. 2079, APPENDIX F)

Actions by City and County Commissions, such as Human Rights and Police Commissions:

1 While a federal regulation authorizes local and state facilities to retain custody for 48 hours plus holidays and weekends, the detainer is a request, not an order, and at least one county (San Francisco) has successfully adopted a practice of retaining custody based on a detainer for only 24 hours.

2 In 2007, the Office of Inspector General reported that San Francisco provided the “bare minimum” of compliance with immigration authorities. See http://www.justice.gov/oig/reports/OJP/a0707/chapter3.htm.
S-COMM: A Threat to Public Safety

The U.S. Immigration and Customs Enforcement (ICE) program “S-COMM” targets noncitizens who are arrested by local police and sheriffs, and though untested, S-COMM is the fastest growing immigration enforcement program in California. Local governments and law enforcement agencies are increasingly concerned how the program works, ICE’s implementation of it, and its effects on the community.

What is S-COMM? How does it work?

S-COMM requires counties to forward biometrics (fingerprints) of all individuals processed at local jails to ICE databases. S-COMM triggers a mandatory check of all fingerprints at the time of booking, regardless of the severity of the charges (e.g. minor traffic violations) and whether or not the arresting charges are ultimately dropped.

If the federal database search results in a “match” for that person, ICE will generally request for a hold (“detainer”) to be placed on the detainee at the local facility. He or she may be held at the local facility even if innocent or otherwise free to go. Once ICE holds a person in a local jail, removal [deportation] proceedings often follow.

S-COMM promotes local enforcement of federal immigration law, which has been challenged and repudiated by the courts. Under S-COMM, local police and sheriffs have to collaborate with ICE, whether they want to or not.

What is the legal basis for S-COMM?

The California Department of Justice executed an agreement with ICE to implement S-COMM without soliciting public comment. ICE indicated that counties would sign a statement of interest with before implementation, and in public statements ICE officials claim S-COMM is voluntary. However, local law enforcement officials are being forced into participation in this national program – even if they think it is ineffective and whether or not local communities have had a chance to weigh in before it goes “live”.

While Congress appropriated generous funding for S-COMM, Congress did not authorize the program through legislation. S-COMM is not federal law, but merely a program created and run by ICE. To date there has been no oversight conducted, nor any requirement from Congress that DHS create standards, regulations, or mechanisms for reporting and evaluation.

How does S-COMM relate to other police-ICE entanglement?

S-COMM enshrines ICE’s costly, wasteful and ineffective approach to immigration enforcement. From 2005 to 2009, the ICE budget for Detention and Removal more than doubled to $2.5 billion. Yet data shows that during the same period, the number of criminal detainees barely increased, while the non-criminal detainee populations doubled. ICE has a poor track record of meeting its stated goals of prioritizing enforcement against the most serious threats.

The truth is that S-COMM distract local law enforcement agencies from fighting crime, diverts critical resources, and deteriorates community trust in local police.
Uncover the Truth Behind ICE and Police Collaboration
May 2010
This fact sheet is part of the Uncover the Truth campaign: www.uncoverthetruth.org
Convened by the Center for Constitutional Rights, National Day Laborers Organizing
Network, and the Cardozo Immigration Justice Clinic.

Sample Fact sheet about Secure Communities

What is Secure Communities and How It Affects You

1. What is Secure Communities?
Secure Communities" is a national immigration program that targets noncitizens who
are arrested by the police. A local law enforcement authority must agree to implement Secure
Communities. It is one of the fastest growing immigration enforcement programs in the country.

2. Do police or local government need to sign an agreement with ICE to sign on to Secure
Communities?
Not necessarily. ICE signs an agreement with state agencies that manages fingerprints collected from
arrestees,. ICE tries to get the agreement of local governments to sign on the program.

3. How does Secure Communities work?
If you are arrested by police, your fingerprints are taken and forwarded to ICE. The fingerprints are
cross checked with immigration and FBI databases. ICE evaluates each fingerprint scan to see what
enforcement action, if any, will be taken against you. Enforcement actions can include arrest by ICE,
transfer to ICE custody and/or initiation of removal proceedings.

4. What offenses will trigger Secure Communities?
Every offense (unless your community has worked out a separate agreement). For example, disorderly
conduct, assault, trespassing, vandalism, and joyriding are some charges that will be run through the
Secure Communities system.

5. When will my fingerprints be forwarded to ICE?
After arrest when you are being booked in the police station. During booking, the police will interview
you, collect detailed biographical information, scan your fingerprints, and take photographs.

6. Will ICE have my fingerprints if my arrest is dismissed or ruled unlawful?
Because your fingerprints are forwarded during booking, ICE will have your fingerprint data even if
the charges are dismissed or ruled unlawful.

7. What if the charges are dropped entirely or dropped to a lower offense?
ICE will have your fingerprints because they were transferred when you were booked for your
original offense.

6. Will ICE have my fingerprints if my arrest is dismissed or ruled unlawful? Because your
fingerprints are forwarded during booking, ICE will have your fingerprint data even if the charges are
dismissed or ruled unlawful.

7. What if the charges are dropped entirely or dropped to a lower offense? ICE will have your
fingerprints because they were transferred when you were booked for your original offense.
8. What if I’m a victim of domestic violence and the police arrests both me and my batterer, but the charges against me are later dropped?
If you are charged with an offense that is not on the list of exemptions, ICE will retain your fingerprints even after the charges are dropped, because they will have been transferred at the time of your arrest and booking. Currently, there is no way to retract fingerprint data once they are forwarded to ICE, even if the charges are ultimately dropped or the arrest was unjustified.

9. How does this affect minors?
ICE did not exclude fingerprints of minors from Secure Communities; practices vary from place to place.

10. What does ICE do after they have my fingerprints?
ICE evaluates each case to see what enforcement action will be taken. Enforcement actions can include arrest by ICE, transfer to ICE custody and/or initiation of removal proceedings. If the database match is inconclusive, ICE agents may attempt to interview you by phone, video or in-person to determine whether you are a noncitizen. After you are booked, ICE agents may ask police to help them collect information about you so that can determine if you are a noncitizen. You should ask your police department whether they have decided to grant these ICE requests. Generally, ICE uses a "detainer" to track you within the criminal justice system. A detainer is an ICE form (Form I-247) requesting the police or jail to hold you for an extra 48 hours after your criminal case has resolved or you have been ordered released from jail so that ICE can pick you up. Ask police officers, jail officials, or your criminal defense attorney for a copy of an ICE detainer. If a police or jail holds you longer than 48 hours after your criminal case has ended, then they are holding you illegally. File a complaint with a jail or police. You can file a lawsuit against them.

11. Who is most at risk under the Secure Communities program?
Everyone. People with prior deportation orders, any noncitizen with a criminal conviction or those who have violated the terms of any visa are at very high risk. Undocumented individuals who entered the country without inspection arguably will not have any fingerprint information in the DHS database although ICE may still decide to interview them.

12. Does this mean that the police or my city is collaborating with ICE?
Yes. Although Secure Communities program is a technology program, ICE must rely on local enforcement agents and jails to collect or forward information about your immigration status that was acquired during booking. This means if the Secure Communities database hit isn’t clear, ICE will check-in with your local police or jail to see if they can get more information about your alienage.

13. Is this community policing?
Many police departments view this program as part of their community policing program. ICE asks local enforcement authorities to include it as a community policing
14. The local government says Secure Communities is designed to target serious criminals. Does it do so?
Statistically the Department of Homeland Security’s own data indicates that the majority of individuals identified through SC were charged with low level offenses. Additionally, the program forwards fingerprints at arrest, not at conviction. (This means that fingerprints are forwarded before the person has been convicted of any crime.)

15. What should I do if ICE tries to interview me while I am in police custody or in jail?
You do not have to speak with ICE agents nor do you have sign any papers. You do not have to answer questions about immigration status. State that you are remaining silent until you speak with your attorney. Make sure you tell your criminal defense lawyer or public defender that ICE has tried to contact you and ask them to evaluate the immigration consequences of any possible plea deal or conviction. Request a copy of the detainer from your criminal defense attorney, police officers or the jail.

16. What if I feel I was targeted for arrest because of my ethnicity or race or experienced other civil rights abuses by police in the name of immigration enforcement?
Contact your local immigrants rights organization or the local ACLU. Write a description as soon as you can after the event, and collect information from witnesses, if any. If you remember the names or badge numbers of the jail or police officers who abused you.
Cities, counties can't stop federal immigration checks
By Alex Johnson

Cities and counties can't stop U.S. immigration officials from sifting through local police records to root out illegal immigrants, even though Immigration and Customs Enforcement has characterized the program as voluntary since it started up two years ago, federal documents show.

When a local law authority arrests someone, it submits his or her fingerprints to the FBI to confirm identity and check for a previous criminal record. That's been a standard part of the booking process in every police agency in America for decades.

Under the disputed program, called Secure Communities, the FBI automatically shares those fingerprints with ICE, which checks to see whether the person is in its database for any reason. If not, ICE steps out of the picture. But if so, ICE then looks more closely to determine whether the person is "eligible for deportation" — either by being in the country illegally or by holding a green card that's been invalidated by a previous conviction.

If that's the case, ICE can begin proceedings to take the person into federal custody for possible deportation. While the Secure Communities standard operating procedures (PDF) say ICE "normally" won't remove a "criminal alien" until the local case is resolved, they specify that the agency can begin the process to do so "at the time of booking" so it can move quickly once the case is concluded.
What is Secure Communities?

When Secure Communities began in October 2008, it outlined four major goals:

- Identify and process all criminal aliens subject to removal while in federal, state and local custody.
- Enhance ICE detention strategies to ensure no removable alien is released into the community because of a lack of detention space or an appropriate alternative to detention.
- Implement removal initiatives that reduce the time aliens remain in ICE custody before removal.
- Maximize cost effectiveness and long-term success through reduced recidivism.

The program has been implemented in phases since it was created late in the administration of President George W. Bush, and ICE now reviews all arrests in more than 650 cities and counties in 33 states. The Obama administration, which has strongly backed the program it inherited in January 2009, said it hopes to implement Secure Communities nationwide by 2013.

Some local elected officials in nearly every state have objected to Secure Communities, news reports show, citing concerns that immigrants will stop cooperating with police as witnesses for fear of running afoul of ICE.

Some immigration activists also allege that it’s being used as a dragnet to round up illegal immigrants indiscriminately. ICE vigorously disputes that, but its own statistics reveal that 78 percent of the 56,358 people deported through the program through August, the last date for which full figures were available, hadn’t been convicted of a violent crime. Twenty-six percent had no criminal convictions at all.

Concerns like those have led at least four communities — San Francisco; Washington, D.C.; Arlington County, Va.; and Santa Clara County, Calif. — to formally request to opt out of Secure Communities.

This is where things get confusing.

Targets of Secure Communities

ICE proclaims that Secure Communities is intended to target "dangerous criminals," with a priority on the most dangerous "criminal aliens" in local or federal custody based on a sliding scale:

- Level 1 — Individuals who have been convicted of major drug offenses and violent offenses, such as murder, manslaughter, rape, robbery and kidnapping.
- Level 2 — Individuals who have been convicted of minor drug offenses and property offenses, such as burglary, larceny, fraud and money laundering.
- Level 3 — Individuals who have been convicted of other offenses.

Its own deportation statistics could be interpreted to tell a different story. Of the 56,358 people deported under Secure Communities since its inception in October 2008 through Aug. 31, 2010:

- About 22 percent were found to have committed Level 1 crimes.
- About 41 percent were found to have committed Level 2 crimes.
- About 12 percent were found to have committed Level 3 crimes.
- About 26 percent were never convicted of any crime.

Sources: ICE procedural records; Secure Communities monthly statistics report (September...
'Yes or no?'
Since Secure Communities began rolling out in October 2008, ICE has indicated that local participation is voluntary. As recently as August, it outlined a process for local officials to object and to negotiate a resolution that "may include ... removing the jurisdiction from the deployment plan."

At the same time, ICE's internal documents make it clear that the agency has always considered Secure Communities to be a federal-only program in which local officials have no say. Just last week, Homeland Security Secretary Janet Napolitano said she didn't "view this as an opt-in/opt-out program."

So which is it? Can cities and counties opt out?

ICE officials have repeatedly refused to clarify whether local jurisdictions can prevent ICE from using their police records to identify deportable illegal aliens. Asked to explain conflicting language in ICE documents that appears to characterize Secure Communities as both mandatory and optional, spokesmen for the agency said they couldn't comment.

That frustrates local officials in jurisdictions that are seeking to opt out of the program.

"Is there an opt-out — yes or no?" asked J. Walter Tejada, a member of the Arlington County Board in the Virginia suburbs of Washington, which recently voted to opt out, only to learn it couldn't. "We have had a number of conflicting statements on the part of ICE."

Some activists in the debate over illegal immigration accuse the Obama administration of deliberately leaving the issue in doubt until after the 2012 election, out of fear that confirming it's mandatory could weaken support for Democratic candidates in jurisdictions with large immigrant populations.

"The word I would use is 'duplicitous,,'" said Jessica Vaughan, policy director of the Center for Immigration Studies, which supports tighter controls on immigration, including the Secure Communities program. "They are telling people what they want to hear, not what they mean."

**ICE tries to set the record straight**
It's understandable that local governments would think they could opt out: ICE has indicated in numerous documents distributed to local officials that Secure Communities cannot "activate" or "deploy" in a jurisdiction without their explicit consent.

That begins with the program's 11-page document outlining standard operating procedures, which state that it's subject to "adoption by participating county and local law enforcement agencies" and which "requests" the cooperation of local law enforcement authorities — instead of telling them what to do.
Official response from ICE

Following is the response from Brian P. Hale, director of public affairs for the Bureau of Immigration and Customs Enforcement, to written questions from msnbc.com about Secure Communities:

Secure Communities does not require state and local law enforcement agencies to enforce federal immigration law. Instead, the program rests on the sharing of information between federal partners, and ICE independently enforces the immigration law as appropriate if a person in criminal custody is subject to removal proceedings.

Secure Communities agreements are generally reached at the State level and activated locally on a set schedule. ICE seeks to work with local law enforcement agencies to address any concerns and determine next appropriate steps. If a jurisdiction does not wish to activate on its scheduled date in the Secure Communities deployment plan, it must formally notify both its state identification bureau and ICE.

ICE officials did not respond to requests to clarify the statement and declined multiple requests for direct interviews.

Then, in January 2009 — as the new Democratic administration of Barack Obama was taking office — David J. Venturella, executive director of Secure Communities, said in a letter (PDF) to the FBI accompanying a memorandum of understanding with California officials that participation in the program "requires a signed statement of intent" at the county and local level.

By this summer, as the program expanded to encompass hundreds of jurisdictions along the Mexican border — including most of Texas, California and Arizona — immigration activists began raising more questions about Secure Communities. In August, ICE responded with a talking-points memo titled Setting the Record Straight (PDF).

One "false claim" addressed in the memo, dated Aug. 17, is that there was "widespread confusion about how jurisdictions can choose not to participate."

The truth, the memo said, is that local officials can request a meeting where both sides can "discuss any issues" and "come to a resolution, which may include ... removing the jurisdiction from the deployment plan."

But local officials who object to Secure Communities said ICE has never honored those promises. In August, Miguel Márquez, legal counsel for Santa Clara County, Calif., sent ICE a request for clarification (PDF) highlighting the requirement for adoption by local agencies in the standard operating procedures, which he said "appear to describe Secure Communities as a program that is voluntary for counties."

But "nothing in the standard operating procedures explains ... what the mechanism for 'adoption' is, or whether they can opt out instead if they so choose," Márquez wrote.

As to the local "statement of intent" in Venturella's January 2009 letter, Márquez reported that he had been "unable to find any further information" and that "no department in Santa Clara County has been asked to sign one."

That scenario sounded familiar to Eileen Hirst, chief of staff for San Francisco Sheriff Michael Hennessey, who has also sought to opt out of Secure Communities because it appears to conflict with San Francisco's 20-year status as a "sanctuary city" for immigrants.
Hirst said her department has never been asked to sign anything approving Secure said there were no documents to sign at all, Hirst said.

And Tejada, of Arlington County, Va., said his board waited until after ICE issued its August memo to take a vote on opting out. It was still turned down.

"Setting the Record Straight," he said, laughing. "What a name!"

**What are 'next appropriate steps'?**

Other local government and police leaders said they, too, have tried to decline to participate in the program but have been rebuffed. They said they were told that ICE is happy to discuss their concerns and that it could consider delaying the date their jurisdiction is "activated."

But, they said, ICE's responses never address their actual request: Can we opt out of the program itself?

Documents quoted in this story

Following are copies of documents quoted in this report (.pdf). These and all other documents referred to in reporting this story were obtained by msnbc.com or by the Center for Constitutional Rights, a nonprofit activist group that opposes the Secure Communities program, and available on its Web site.

- Secure Communities Standard Operating Procedures
- Secure Communities deportation statistics
- Letter from Secure Communities executive director to the FBI
- ICE "Setting the Record Straight" memo on Secure Communities
- San Mateo, Calif., letter to ICE requesting clarification of Secure Communities
- DHS reply to request for information from Rep. Zoe Lofgren
- May 2010 ICE report to Congress on Secure Communities
- Secure Communities field training manual

When an msnbc.com reporter asked numerous ICE officials that question, they wouldn't answer. And they said they couldn't discuss why they couldn't comment.

In a two-paragraph statement this week in response to detailed written questions, Brian P. Hale, ICE's director of public affairs, wrote that "ICE independently enforces the immigration law as appropriate" and "seeks to work with local law enforcement agencies to address any concerns and determine next appropriate steps."

He did not say what those steps might include, and ICE said it couldn't elaborate.

That's essentially the same answer Rep. Zoe Lofgren, D-Calif., chairwoman of the Judiciary subcommittee on immigration and border security, got when she fired off a letter in July asking for "a clear explanation of how local law enforcement agencies may opt out of Secure Communities by having the fingerprints they collect and submit ... checked against criminal, but not immigration, databases."

[http://www.msnbc.com/](http://www.msnbc.com/) Napolitano's reply (PDF) six weeks later didn't answer Lofgren's question. Instead, it repeated
ICE's mantra that local authorities should notify ICE if they don't want to "participate in the Secure Communities deployment plan," without saying whether they could actually be allowed to opt out.

**Top priority: 'Identify and process all criminal aliens'**

It seems, in fact, that ICE never meant for local authorities to have a say.

Dozens of Secure Communities technical documents and other ICE communications make it clear that the program is intended to eventually review the immigration status of every person arrested in the United States.

In its original organizing documents and in quarterly reports to congressional committees, ICE declares that the first priority for Secure Communities is to "identify and process all criminal aliens subject to removal while in federal, state and local custody."

In its [field training manual](#), ICE tells agents that "Secure Communities is committed to improving public safety by identifying, detaining and removing all criminal aliens held in custody and at large."

And: "Secure Communities will expand the capability to screen for criminal aliens to all local jails and booking stations electronically as individuals are brought into custody."

Local officials can disapprove all they want. The idea, ICE said in a [report to Congress](#) (PDF) in May, is to create "a virtual ICE presence at jails and booking locations in jurisdictions across the country."

That hasn't stopped communities from trying to break free anyway.

In California, the Santa Clara County Board of Supervisors voted unanimously late last month to send formal notice asking ICE to stop using fingerprints collected in the county, even if it turns out the request has no official effect.

Board member George Shirakawa acknowledged that the vote was "merely symbolic." But he said it was still important because it "sends a message."

"We are not going to create an atmosphere of fear in our communities,” he declared.
Birthright Citizenship

**Background**
Under current law, U.S.-born children of unauthorized immigrants are automatically considered U.S. citizens. But Sen. Lindsey Graham (R-SC) has proposed changing that. Graham says he is considering introducing a constitutional amendment in Congress that would end “birthright citizenship” for children of illegal aliens. Mr. Graham explains that his proposal seeks to deter immigrants from crossing the border and giving birth on U.S. soil. He says he still supports legalization for the undocumented population currently living in the United States. His supporters say that ending birthright citizenship could be part of a compromise to achieve comprehensive immigration reform.

The heart of the birthright citizenship controversy centers on the proper interpretation of the 14th Amendment’s citizenship clause. It reads: “All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States.” This clause was intended to reverse the infamous Dred Scott decision in which the Supreme Court held that U.S.-born persons of African descent were not citizens. Its wording may seem straightforward, but its legislative history is less clear. For instance the author of the 14th Amendment, Sen. Jacob Howard, stated that his amendment would not apply to “foreigners”. But other Senators understood the Howard amendment to specifically include the children of aliens such as gypsies and Chinese immigrants. Less clear is whether the Framers intended the 14th Amendment to cover illegal aliens since the United States did not meaningfully restrict immigration until well after its passage.

Despite this controversy, the Supreme Court has long held upheld birthright citizenship for children of unlawful immigrants born on U.S. soil. In 1898, the court held in United States v. Wong Kim Ark that the U.S.-born child of Chinese immigrants was entitled to citizenship under the 14th Amendment.1 And in subsequent decisions the court has specifically upheld citizenship for children of illegal aliens.2 In fact, all nine justices agreed in Plyler v. Doe that the 14th Amendment applies to illegal aliens.3 Specifically, the court has found that such immigrant children are “subject to the jurisdiction” of the United States and to the state in which they reside, as required by the 14th Amendment.

While it is unlikely that the 14th amendment will be changed in this way, its practical policy implications should be considered because of its potentially far-reaching consequences.

**Talking Points**

**Repealing birthright citizenship will not reduce illegal immigration**
Despite proponents’ claims that their proposal would reduce illegal immigration, its actual effect would be to increase it. Instead of becoming registered citizens, future millions of children born in the United States to unlawful immigrants would be left with no citizenship or nationality, rendering them stateless.
Repealing birthright citizenship is unconstitutional
The Citizenship Clause of the 14th Amendment enshrined the centuries-old principle of Anglo-American case law known as *jus soli* meaning “the law of the soil” or citizenship by birth. Its Framers sought to specifically reverse the Dred Scott decision which had briefly negated this principle. Historical records of the Amendment’s debate reveal that key senators believed it to include the children of immigrants.

The Supreme Court has spoken definitively on this issue
No fewer than nine justices agreed in *Plyer v. Doe* (1985) that the 14th Amendment applies to the U.S.-born children of unauthorized immigrants. This confirmed a now century-old understanding first expressed by the court in *United States v. Wong Kim Ark* (1898).

Repealing birthright citizenship punishes children who have done nothing wrong
Children born to parents without immigration status have no choice in the matter. Stripping them of citizenship would punish the innocent, not the guilty, and lead to a host of unintended consequences, including statelessness. It would deprive innocent children of the benefits of citizenship and relegate them to second and third-class citizens.

Implementing this proposal would cause more abortions and discourage hospital births
In order to enforce it, hospitals would have to require that pregnant women provide proof of their immigration status before issuing birth certificates to their newborn babies. This may lead to more abortions and to more births outside hospital settings because pregnant immigrant women would fear apprehension in the maternity ward.

Implementing this proposal would burden all Americans
If implemented, this proposal would eliminate easy ways for Americans to prove their citizenship, such as birth certificates. Instead, Americans would have to hire expensive immigration attorneys to trace their family tree and produce documentation proving their blood citizenship. In addition, the government would have to hire hundreds if not thousands of trained immigration attorneys or bureaucrats to adjudicate their claims.

Repealing birthright citizenship will not solve illegal immigration
Proponents claim their proposal will deter future millions of immigrant from crossing our border. But there is no evidence to support this contention. Moreover, even if it were enacted, it would not solve the issue of the 12 million unlawful immigrants living among us. What is needed is comprehensive reform that addresses the status of those already here.

1 169 U.S. 649 (1898).
3 See Plyler at fn. 2.
Pastoral Care Ministry Model

What are the components of the Pastoral Outreach Ministry?

The Pastoral Outreach Ministry has the following components:

1. **Reflection:** Scriptural reflection, faith sharing, Catholic social teaching, and retreats
2. **Education:** To raise the visibility of the undocumented and the impact of unjust immigration policy
3. **Service:** The ministry provides pastoral service in the following ways:
   a. **Information:** on various topics related to the immigrant community (immigration, labor, housing, domestic violence, criminal defense, etc.) Volunteers who participate in this ministry receive trainings on these topics from the Consulate of Mexico and appropriate field experts to be equipped and pass the information on to others. A local parish-based team offers informational tables on Sundays after Mass or workshops on these topics or others needed in their parish community.
   b. **Accompaniment:** The local parish team of volunteers ministers identifies families who are separated by detention and deportation, and provides them moral and spiritual support and resources. All of this is done in the name of the parish.
   C. **Resources:** The local parish team of volunteers coordinates events such as health fairs and legal clinics, and provides assistance filling out income tax forms and access to other resources available in the community.
4. **Advocacy:** The local team of ministers coordinates participation at the parish level in actions related to immigration reform or other issues facing the immigrant community, such as workers rights, racial profiling, housing, violence, etc.
5. **Leadership Development:** Ministers are trained how to organize a meeting, develop a plan, speak in public, work as a team, etc.

Which parishes should participate?
Any parish with an English speaking population who may need to learn more about migration and who may serve as volunteers in a ministry of outreach and those parishes with a large undocumented population who need pastoral services and “rights” workshops.

What do I need for my parish to become involved in this Ministry?
We request that pastors make a commitment to recruit potential leaders from their parish to participate in this ministry and to support these leaders and the ministry during training and implementation. Lay leaders make a commitment for training and to participate in this ministry as an integral part of the parish ministry life.

How is training provided?
The Consulate of Mexico provides information sessions for parishes to inform the undocumented of their “rights”. Catholic Charities and the Office of Advocacy and Justice will help train parish leaders in outreach ministry.
What kind of commitment does a volunteer of the Pastoral Outreach Ministry expected to make?
A volunteer commits to participate in a series of training sessions, s/he will become a part of a team of the Pastoral Outreach Ministry, coordinating some of the following activities: Sunday information tables, workshops on various topics, resources of service (health fare, income taxes, legal clinic, etc.), accompanying families affected by deportation/detention, justice-for-immigrants actions, legal issues, etc. For more information contact the Office of Advocacy and Justice: 407-246-4819; advocacyjustice@orlandodiocese.org

### Pastoral Outreach Ministry
Components and Collaborators

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<td>• Immigration Reform, Detention Center</td>
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<td>• Workshops/Legal Forums by topic, i.e. immigration, housing, education, labor, etc.</td>
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Ideas for Schools, Religious Education, and Youth Programs

**Utilizing This Resource**

How can this resource help our parish, and why is it important?

Many schools, religious education programs, and youth programs are facing a large influx of young people from various ethnic and cultural backgrounds and are attempting to find a faith-inspired response to the changes in their midst. This resource is designed to help parishes and schools in this endeavor.

The U.S. bishops' pastoral statement Welcoming the Stranger Among Us: Unity in Diversity calls us to welcome new immigrants and to help them join our communities in ways that are respectful of their cultures and in ways that mutually enrich the immigrants and the receiving church. It calls us to move beyond the anti-immigrant stance, to reject racism, and to promote laws and policies that respect the human dignity of all people. This important message is not only for adults, but also for children and youth as they, too, face these challenges. Instilling these values as part of our parish and school education programs will enable our children to develop into adults who will welcome all newcomers into their parishes and communities; assist their neighbors regardless of race, culture, or creed; and advocate for fair and just laws for all persons.

This resource contains many useful educational activities and ideas that can be infused into existing lesson plans for schools (grades K–12) or religious education programs. It also offers a myriad of ideas that can be incorporated into Catholic Youth Organization (CYO) activities or be used in youth group retreats and meetings.

**Suggested Activities**

The following activities should be adjusted to each classroom situation and can be expanded with creativity, time, and initiative. Additional activities and expanded resources for grades K–12 can be found in the curriculum manual Who Are My Sisters and Brothers? A Catholic Educational Guide for Understanding and Welcoming Immigrants and Refugees, publication no. 5-006, available from the United States Conference of Catholic Bishops (USCCB) at 800-235-8722.

**For younger children**

When working with younger children, the most important thing is to teach children to accept and love differences. The teacher's role in leading the students through these activities is critical to achieve the desired objectives. By conducting these exercises with a spirit of enthusiasm and welcome, the teacher will find these activities popular with young children.
• The Good Samaritan parable illustrates how Jesus wants us to respond to those in need who may be different from us. Talk about simple ways that children can be welcoming and neighborly to immigrants, refugees, and migrants.

• Read the story *Swimmy*, by Leo Lionni, to the children. Discuss how all the fish worked together for the good of all. Explain the need for families, parishes, and schools to work together so that all people may have a better life.

• Discuss the many reasons that immigrants and refugees come to the United States: lack of food, work, or shelter in their homeland; persecution for religious or political reasons; war; violence; famine; drought; and family separation.

• Create handouts with a picture of a backpack. Ask the students to imagine that they arrive home from school and are told by their parents that their entire family is leaving in one hour. They may take only what they can carry in their backpacks. On the handout, have students make a list of the items they would bring. What did they leave behind? What and whom will they miss the most?

• As an exercise in empathy and understanding, ask children to write poems or prayers for refugees. (See “A Refugee Child’s Questions” on this page.)

• Ask the children to share life experiences regarding newcomers the children personally know. Initiate a discussion with questions such as these: Have you learned anything special from a person of another culture? Do you know any words or songs from another language? Have you ever eaten food from another culture?

• Play cultural bingo with the class. Create a bingo sheet with twenty-five squares. Fill the squares with questions about different cultures or experiences children have had with different cultures. Here are some sample questions: Who has taken part in a *posada* (Hispanic Christmas celebration)? Who is wearing something made in another country? Who can name at least six Native

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A REFUGEE CHILD’S QUESTIONS

by Alycia Gilbert, 5th grade
St. Joseph Beatrice Catholic School
Lincoln, Nebraska

“Will it be scary, Mommy?”
“Yeah, dear.”

“Will it be cold, Mommy?”
“She, dear.”

“Will it be dark, Mommy?”
“No, dear.”

“Will it be dangerous, Mommy?”
“No, dear.”

“We won’t get caught, will we, Mommy?”
“Okay, dear.”

“Will God desert us?”
“No, dear.”

“Are you sure, Mommy?”
“No, dear.”

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• Have children learn greetings from different cultures, such as saying “Ni hao ma” (pronounced “nee how mah” in Chinese), pressing one’s hands together and saying “Namaste” (“nah mas tay” in India), saying “Hujambo” (“hoo jom bo” in Swahili), saying “Qué tal” (“kay tal” in Spanish), and saying “Chao” (“chow” in Vietnamese). Where applicable, be sure to include gestures as well as the foreign language greetings.

• Place six clear containers in the front of the classroom. Fill three containers with water and add food coloring to make a red, blue, and yellow container. Ask students to mix equal parts of the yellow and blue in a fourth container. Ask another to combine yellow and red in the fifth and another to combine blue and red in the sixth. Discuss the effects of mixing colors, emphasizing the new possibilities when colors are mixed.

• Discuss welcoming newcomers. Ask the students to brainstorm simple ways they can show hospitality to a new classmate or neighbor. Some ideas include smiling; sharing a book, game, or food;
allowing them to go first in line; inviting them to play; inviting them home to meet your family; and offering to help them with homework.

**For youth**

- Read the following Scripture verses: Ex 23:9, Lv 19:33-34, Dt 10:17-19, Is 58:7, Lk 10:29-37, Mt 2:13-15, and Mt 25:34-40. What does God say through Scripture about the ways we are called to respond to immigrants? Our faith tradition has a long history of hospitality and respect for the stranger or alien. The flight into Egypt describes the Holy Family as refugees fleeing from the wrath of King Herod. Have you ever thought of the Holy Family in this way? What could you do for a refugee family today? Do you see the face of Jesus when you meet people who are hungry, thirsty, or in need of clothing and shelter?

- Have youth define the terms “immigrant,” “refugee,” and “migrant.” Discuss how closely their definitions match the following:
  - **immigrant**—a person who moves to a country to take up permanent residence;
  - **migrant**—a person who moves within his/her country or into another one; and
  - **refugee**—a person who is forcibly uprooted by circumstances beyond his/her control and is forced to flee his/her country.

- Have the class write a bill of rights by which they would want to live. Compare these rights with the rights (or lack thereof) for migrants, refugees, and immigrants.

- Have the class compare the **United States Bill of Rights** (National Archives—[www.nara.gov/exhall/charters/billrights/billmain.html](http://www.nara.gov/exhall/charters/billrights/billmain.html)), the **Universal Declaration of Human Rights** (United Nations High Commissioner for Refugees—[www.unhcr.ch/udhr/index.htm](http://www.unhcr.ch/udhr/index.htm)), and the Church’s teaching (Scripture or other texts as noted) on the rights of all people (strangers, aliens). Which is more encompassing? Stress that the Gospel alternative to the present situation is that all people would have equal access to resources to meet their basic human needs.

- Invite young immigrants or foreign exchange students to present their personal stories. Ask children to note similarities and/or differences between their lives and those of the newcomers.

- In history or current events classes, have students bring in newspaper and magazine articles about immigrants, refugees, or migrants. Make a collage of pictures. Explain how many of these stories depict the hardships that immigrants encounter in everyday life. Analyze the approaches taken in the articles to see how racism, prejudice, stereotyping, fear, and xenophobia (anti-foreigner sentiment) were either fostered or discouraged. For an action response, have students write letters to the editor.

- Study the immigration history of the United States. Note how immigrants have been welcomed or reviled depending upon the economy and political climate in our country. Refer to the [U.S. Census Bureau](http://www.census.gov) or the [National Immigration Forum](http://www.immigrationforum.org) websites for graphs on recent immigration. Engage in a broader discussion of world events such as war, famine, natural disasters, political instability, and religious persecution that cause worldwide migration.

- Research the top ten countries from which the United States receives legal immigrants. Research the top ten countries from which the U.S. receives refugees. Study the reasons why immigrants and refugees are coming from these countries. Discuss the Catholic social teaching principle of solidarity and how this principle
challenges us to respond to our brothers and sisters around the world. Refer to Called to Global Solidarity (USCCB publication no. 5-118). Refer to the Catholic Relief Services website (www.catholicrelief.org) for important information on how the Catholic Church responds to the call for global solidarity.

- Continue the above activity by referring to One Family Under God (USCCB publication no. 5-270) for the Church’s teaching on the right and obligation to speak on behalf of migrants, for insight on how Christ’s view of the neighbor challenges us to broaden the scope of common good and solidarity, and for information on how the Church acts as a guide for social law and policy as well as for individual attitudes and behaviors.

- Contact your diocesan office or refer to the U.S. bishops’ Office of Migration and Refugee Services (MRS) website (www.usccb.org/mrs) to learn about special concerns of migrant youth.

- Refer to statistics provided by the United Nations High Commissioner for Refugees (www.unhcr.ch) website on migration. Note the significant number of refugee women and children. Find out why women make up a large number of refugees and what are their special issues.

- Hold a cartoon contest in which the students illustrate unjust treatment of immigrants, migrants, or refugees throughout U.S. history.

- Hold a poster contest illustrating current examples of U.S. immigration laws that negatively affect immigrants or migrants, such as California’s Proposition 187, Cuban refugee policy, and the 1996 immigration laws.

- Write letters to the U.S. Congress regarding just immigration laws.

- Prepare bulletin boards or posters on the costs of the benefits that immigrants receive in the United States. Compare these costs with the taxes immigrants pay and the contributions that they make in the United States. Refer to the National Immigration Forum (www.immigrationforum.org) website for information.

- Have a special liturgy or prayer service on or around November 13, the feast day of Mother Cabrini, the patroness of immigrants.

- In autumn, celebrate the harvest and thank those who work under difficult conditions, in the fields, to bring this bounty to our tables. In Jewish tradition, it was customary for the widows, orphans, and aliens to glean the harvest (pick the leftovers for themselves) as a way for the community to care for its vulnerable members (Ru 2). Inquire with the diocesan social action office to find a program in which your students can participate to bring food to the hungry in your area.

Familiarize yourself with the U.S. bishops’ pastoral statement Welcoming the Stranger Among Us and the companion brochure that summarizes it. Decide what are realistic goals, in your unique situation, for weaving this message into your educational programs. Make use of existing resources such as the Bible, the Catechism of the Catholic Church, resources from the U.S. bishops’ Office of Migration and Refugee Services, and publications and websites listed throughout the above activities and in the enclosed Resource Bibliography.

Infuse the message of Welcoming the Stranger Among Us into what you are already doing:

- Have students include petitions for immigrants, refugees, and migrants when preparing for liturgies for children and youth. Ask the students to remember them in their daily prayers.
• Weave the theme of welcoming newcomers into class discussions while covering other topics. The following subjects lend themselves to enhancing positive attitudes towards immigrants, refugees, and migrants: immigration history of the United States; citizenship requirements in civics; and customs and cultures of other countries in geography, music, art, and foreign language classes.

• Seize opportunities that present themselves in current events to discuss the Church’s position on welcoming the stranger. Note that the Church’s position often contrasts with U.S. governmental policies on immigrants, migrants, or refugees.

• Encourage students and their parents to appreciate that the Gospel is asking us not only to provide food and shelter to immigrants, refugees, and migrants, but also to advocate on their behalf for just laws and policies. Provide opportunities for reflection on what we, as Catholics, need to do to change attitudes and laws to provide for all marginalized and vulnerable people.

• Encourage students and their parents when performing service projects for immigrants, refugees, or migrants to reflect on our Catholic belief in the human dignity of all persons and their right to have all their basic human needs met.

**SUGGESTED RESOURCES**

Many resources (in boldface) have been mentioned throughout the above activities. We encourage you to make use of the wealth of information available. In addition, the following are excellent resources:

**National Migration Week materials**: A booklet and poster published yearly from the U.S. bishops’ Office of Migration and Refugee Services. To order, call 202-541-3353, fax 202-722-8805, or send e-mail to nmw@usccb.org.

**Excerpts from *Sharing Catholic Social Teaching materials***: Contain the seven themes of Catholic social teaching highlighted by the U.S. bishops: Life and Dignity of the Human Person; Call to Family, Community, and Participation; Rights and Responsibilities; Option for the Poor and Vulnerable; Dignity of Work and the Rights of Workers; Solidarity; and Care for God’s Creation. Available on colorful cards (USCCB publication no. 5-315, $0.20) and posters (USCCB publication no. 5-318, $1.50). Call 800-235-8722.

**A Catholic Call to Justice: An Activity Book for Raising Awareness of Social Justice Issues**: A social justice lesson plan, designed for use with persons ages 14-22. The activities center around the themes of Catholic social teaching mentioned above. USCCB publication no. 5-239, 16 pp., $1.95. Call 800-235-8722.

**Human Rights, Refugees and UNHCR: A Teacher’s Guide**: A teachers’ kit, designed to help teachers prepare lessons that demonstrate the relationship between refugee protection and human rights. The kit includes posters and articles to prompt class discussion as well as teaching plans for children. Target group: ages 9-18. Available for free from the United Nations High Commissioner for Refugees’ Public Information Section, CP 2500, 1211 Geneva 2 Depot, Switzerland; send e-mail to hqpi00@unhcr.ch. Also available online at [www.unhcr.ch](http://www.unhcr.ch).
**From the Ground Up: Teaching Catholic Social Principles in Elementary Schools**: Published by the National Catholic Educational Association (NCEA), this guide includes a process for faculty development and sample activities for sharing the seven key themes of Catholic social teaching in grades K-8. To order a copy, call 202-337-6232.

**Today’s Immigrants and Refugees: A Christian Understanding**: A collection of articles on a variety of crucial issues related to the pastoral care of immigrants and refugees in the Catholic Church in the United States. USCCB publication no. 204-7, 156 pp., $6.95. Call 800-235-8722.

**From Newcomers to Citizens: All Come Bearing Gifts**: Written to commemorate National Citizenship Day, this document emphasizes the bishops’ commitment to immigrants and addresses recent congressional initiatives that raise the bar for naturalization, urging reasonable standards that ensure that applicants embrace this country’s values and laws. USCCB publication no. 5-363, 12 pp., $1.50. Call 800-235-8722.

**Refugees: A Challenge to Solidarity**: From the Pontifical Council for the Pastoral Care of Migrants and Itinerant People and the Pontifical Council Cor Unum, this publication aims to stimulate international solidarity especially regarding the causes of the inhumane living condition of refugees. USCCB publication no. 576-3, 16 pp., $1.95.

**WEBSITES**

www.culturalorientation.net: The Cultural Orientation Project established by the Center for Applied Linguistics (CAL) has created a website geared towards cultural orientation trainers overseas and in the United States. The site provides information on cultural orientation training activities, cultural backgrounds of refugee populations, and links to related websites.

www.vatican.va/roman_curia/pontifical_councils/migrants: Refer to the Vatican’s website for additional information on the Pontifical Council for the Pastoral Care of Migrants and Itinerant People.
2010 Prayer

_Loving Father,_ in your infinite compassion, we seek your divine protection for refugee children who are often alone and afraid. Provide solace to those who have been witnesses to violence and destruction, who have lost parents, family, friends, home, and all they cherish due to war or persecution. Comfort them in their sorrow, and bring help in their time of need.

Show mercy to unaccompanied migrant children, too, Lord. Reunite them with their families and loved ones. Guide those children who are strangers in a foreign land to a place of peace and safety. Comfort them in their sorrow, and bring help in their time of need.

Show us how we might reach out to these precious and vulnerable children. Open our hearts to migrant and refugee children in need, so that we might see in them your own migrant Son. Give us courage to stand up in their defense against those who would do them harm.

For this we pray through our Lord Jesus Christ, who lives and reigns with you in the unity of the Holy Spirit, one God, forever and ever. Amen.

2008-2009 Prayer

Lord Jesus, when you multiplied the loaves and fishes, you provided more than food for the body, you offered us the gift of yourself, the gift which satisfies every hunger and quenches every thirst! Your disciples were filled with fear and doubt, but you poured out your love and compassion on the migrant crowd, welcoming them as brothers and sisters.

Lord Jesus, today you call us to welcome the members of God’s family who come to our land to escape oppression, poverty, persecution, violence, and war. Like your disciples, we too are filled with fear and doubt and even suspicion. We build barriers in our hearts and in our minds.

Lord Jesus, help us by your grace,

To banish fear from our hearts, that we may embrace each of your children as our own brother and sister;
To welcome migrants and refugees with joy and generosity, while responding to their many needs;
To realize that you call all people to your holy mountain to learn the ways of peace and justice;
To share of our abundance as you spread a banquet before us;
To give witness to your love for all people, as we celebrate the many gifts they bring.

We praise you and give you thanks for the family you have called together from so many people. We see in this human family a reflection of the divine unity of the one Most Holy Trinity in whom we make our prayer: Father, Son, and Holy Spirit. Amen.
2007 Prayer

Mary Most Holy, you, together with St. Joseph and the Child Jesus, experienced the suffering of exile. You were forced to flee to Egypt to escape the persecution of Herod. Today we entrust the men, women and children who live as migrants and refugees to your maternal protection.

Grant us the grace to welcome them with Christian hospitality, so that that these brothers and sisters of ours may find acceptance and understanding on their journey.

Teach us to recognize your Son

- in the migrant who labors to bring food to our tables
- in the refugee seeking protection from persecution, war, and famine
- in the woman and child who are victims of human trafficking
- in the asylum seeker imprisoned for fleeing without documents

May all those who are far from their place of birth find in the Church a home where no one is a stranger. We ask this in the name of your blessed Son, Jesus, our Lord. Amen.

2006 Prayer

Mary, our Mother and our Lady of Guadalupe, we come to you as migrants and pilgrims, passing briefly through this world, as we journey to our true home in heaven. Show us the Way. You were once a migrant too. Guide us along safe paths, protect us from evil, and free us from all fear. Show us the Way.

Teach us to welcome the strangers among us - immigrants, migrants, refugees, people on the move -- all sisters and brothers on the journey. Show us the Way.

Help us to seek justice for the oppressed, to bring comfort to the afflicted, and to offer hope and healing to all those we meet on the journey. Show us the Way.

Help us to recognize that the only path to your Son is the way of justice. Strengthen us to make straight this way before him. Show us the Way.

Open our hearts and minds to the suffering of victims of human trafficking, children held in detention, and other vulnerable persons in need of our hope and help in their time of struggle. Amen.

2005 Prayer

Mother Cabrini, you came to America as a migrant, sent to care for those who had journeyed far from home.

We ask you to teach us to welcome newcomers to our land and to serve them with the same joy you embodied.

Beg Jesus, on our behalf, to give us the same gifts of faith, hope, and love that he brought to perfection in you.

We seek faith, that our trust in God will strengthen us to carry on the works of peace and justice. We seek hope, that our confidence will shine as a beacon to those who flee to our land in despair. We seek love, the perfect love which casts out all fear, that we may welcome strangers in our land with true peace and generosity of spirit.

Guide us on our own journey home to Jesus, that we may dwell in his love forever, praising God.
SAMPLE PRAYER SERVICE: IMMIGRATION/MIGRATION

Introduction
We gather to remind ourselves of the Gospel’s call to welcome the stranger by ministering to immigrants and serving the most vulnerable of God's people. We join in solidarity with the strangers in our community, and all those who call upon government officials for a fair and compassionate immigration policy, that addresses the root causes of migration and poverty.

Opening Hymn

Opening Prayer
Our God, you have given us in your word the stories of persons who needed to leave their homelands—Abraham, Sarah, Ruth, Moses. You have chosen that the life of Jesus be filled with events of unplanned travel and flight from enemies. You have shown us through the modeling of Jesus how we are called to relate to persons from different nations and cultures. You have called us to be teachers of your word. We ask you, our God, to open our minds and hearts to the challenge and invitation to model your perfect example of love. Amen.

“An Alien’s Prayer” by Edward Hays is reprinted with permission

First Reading: Leviticus 19: 33-34
When aliens settle with you in your land, you shall not oppress them. They shall be treated as native-born among you, and you shall love them as people like yourselves, because you were aliens in Egypt. I am the Lord your God.

Second Reading: A Place at the Table: A Pastoral Reflection of the U.S. Catholic Bishops (2002)
Catholic teaching affirms that all persons, even those on the margins of society, have basic human rights: the right to life and to those things that are necessary to the proper development of life, including faith and family, work and education, housing and health care...Our Church’s commitment to find a place at the table for all God's children is expressed in every part of our country and in the poorest places on earth.

Third Reading:
Catholic concern for migrants and refugees has a strong foundation in Scripture. The Old and New Testaments poignantly depict Moses and the Jewish people in exile and the Holy Family as refugees. The obstacles to a hearty welcome (fear of the stranger, prejudice, competition, sense of loss) also find counterparts in the parables of Jesus and in His capacity to break through the taboos and restrictions of his contemporaries, especially in regard to tax collectors, sinner, Samaritans, and Gentiles. These scriptural teachings call us to a deeper compassion for the plight of the migrant. Inspired by this calling of our faith, the Church has developed a rich body of teaching and a heritage of concern for immigrants, migrants, and refugees. The faithful in the United States – a land so blessed and whose tradition is steeped in the immigrant experience – have special responsibility to be a welcoming people. In the pastoral letter, Strangers no Longer: A Journey of Hope, the bishops remind us that as Catholics, we have an obligation to uphold this tradition of our faith.

Time for Quiet Reflection
Music is appropriate, either instrumental or vocal.

The Gospel: Matthew 25: 34-40
For I was hungry and you fed me; I was thirsty and you gave me drink. I was a stranger and you welcomed me; naked and you clothed me. I was ill and you comforted me; in prison and you came to visit me... The truth is, every time you did this for the least of my sisters or brothers, you did it for me.
Intercessions

Response: Lord, hear our prayer.

For an end to the violence and poverty that displaces so many people from their homes and homelands, we pray to the Lord.

For migrant workers, that they may labor and live in safe and just conditions, we pray to the Lord.

For the families and children of migrant workers, that they be reunited, we pray to the Lord.

For an end to human trafficking, that the dignity of all God's children will be acknowledged and protected, we pray to the Lord.

For our law-makers, that they establish and enforce laws that protect the rights and dignity of everyone, especially those most vulnerable in our country, we pray to the Lord.

For employers and corporations, that they choose the dignity and worth of each human person over profit and power, we pray to the Lord.

For our parish community, that we may continue to serve those without homes and resources, and that we speak out for just immigration reform, we pray to the Lord.

Personal Testimony

Spoken aloud together:
We choose to stand with and assist those who are forced to move from their homelands and seek economic and physical survival elsewhere. Our commitment to a merciful way of life demands that we meet, by direct service and systemic change, the needs of those who suffer. We seek to educate ourselves and others to the underlying causes of migration. We will continue to welcome and assist those who seek hope, home and labor in this country and this community. We welcome the invitation to be true to the call of the gospel. Amen

Closing Prayer
Response (all): We welcome you, Jesus

Dear Jesus, you came into this world as a migrant R.
There was no room for your family at the inn R.
Along with the angels in heaven R.
Along with the shepherds who wandered the hills R.
Along with the Magi who traveled from the East R.
Your family became refugees fleeing Herod R.
In Egypt you were an alien R.
In your public life you did not have a place to rest R.
Dear Jesus, we see you today, and R.
In refugees fleeing war and violence R.
In immigrants seeking a better life R.
In migrant workers who enrich our land with their labor R.
In seafarers and other people on the move R.

Let Us Pray: (together)
Dear Jesus, you are the refuge of people on the move. We ask you to grant immigrants, refugees, and other migrants peace, protection, and comfort. Help us to recognize that whenever we welcome the stranger in your name, we welcome you. Teach us to recognize your presence in every human being. Bring us together as one family, at the banquet table of your love, with you who live and reign with the Father and the Holy Spirit, now and forever. Amen.

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Closing Hymn
The Five Principles of THE FLORIDA COMPACT

To guide FLORIDA’s immigration discussion

FEDERAL SOLUTIONS Immigration is a federal policy issue between the U.S. government and other countries—not Florida and other countries. We urge Florida’s congressional delegation, and others, to lead efforts to strengthen federal laws and protect our national borders. We urge state leaders to adopt reasonable policies addressing immigrants in Florida.

LAW ENFORCEMENT We respect the rule of law and support law enforcement’s professional judgment and discretion. Local law enforcement resources should focus on criminal activities, not civil violations of federal code.

FAMILIES Strong families are the foundation of successful communities. We oppose policies that unnecessarily separate families. We champion policies that support families and improve the health, education and well-being of all Florida children.

ECONOMY Florida is best served by policies that maximize personal freedom and opportunity. We acknowledge the economic role immigrants play as workers and taxpayers. We celebrate Florida as the destination of international tourism. Florida’s immigration policies must reaffirm our global reputation as a welcoming and business-friendly state.

A FREE SOCIETY Immigrants are integrated into communities across Florida. We must adopt a humane approach to this reality, reflecting our unique culture, history and spirit of inclusion. The way we treat immigrants will say more about us as a free society and less about our immigrant neighbors. Florida should always be a place that welcomes people of goodwill.
Visit http://www.flacathconf.org/socialconcerns/farmworkers/index.php for more information. Additional resources are available leading up to Farmworker Sunday in November.
Enforcement of Immigration Laws: Important Principles

**BACKGROUND:** In the pastoral letter, *Strangers No Longer: Together on the Journey of Hope*, the U.S. bishops recognize the right of the sovereign to control and protect its borders: “Therefore, we accept the legitimate role of the U.S. government in intercepting undocumented migrants who attempt to travel through or cross into [the country]. We do not accept, however, some of the policies and tactics that our government has employed to meet this…responsibility.” (no. 78)

Despite acknowledging this right of the sovereign, opponents of immigration often inaccurately criticize the Church as supportive of “open borders” in an attempt to discredit the Church’s voice. The following are principles articulated by the U.S. bishops, which should be used to judge any proposals to enforce immigration law.

Any enforcement measure should adhere to the following principles:

1. **Targeted.**
   U.S. enforcement resources should be focused to ensure that those who are dangerous are more easily identified and apprehended. Enforcement policies should be tailored and not overly broad so that the basic rights of all immigrants are not abridged. Ethnic or racial profiling should be avoided. Improvements in intelligence and information sharing and technological improvements in border security would help ensure that those who are most dangerous—smugglers, human traffickers, and terrorists—are intercepted.

2. **Proportional.**
   Enforcement of immigration laws should not feature unnecessary penalties or unnecessary force. Immigration control officers and border patrol agents should receive intensive training on appropriate enforcement tactics and the appropriate use of force. Border enforcement policies should not drive migrants into more remote regions of the desert, risking their lives. State and local law enforcement should not be authorized to enforce immigration laws.

3. **Humane.**
   In any enforcement action, the human rights and dignity of the person should be preserved and respected to the greatest extent possible. Families should not be divided and should receive special consideration. Undocumented immigrants should not be detained for lengthy periods of time or intermingled with violent offenders. Asylum-seekers should receive appropriate screening by a qualified adjudicator. Children should be accommodated within a child welfare context.

In addition, it is important to note that reform of the legal immigration system will help meet the above principles and make our nation more secure. By allowing the undocumented population in the United States an opportunity to become legal, they are free to “come out of the shadows” and be identified, allowing law enforcement to focus on those who might be motivated to harm us. By creating legal avenues for migration through a worker program and family immigration reform, our government can better track those who enter our nation at the same time it reduces the incentive for undocumented immigration. Providing legal status to undocumented immigrants is an effective way to contribute to our nation’s security.
Send a Justice for Immigrants Postcard to Congress

Help us show your U.S. Senators and Representatives that Catholics and other supporters of immigrants want our elected officials to enact meaningful and compassionate immigration reform legislation.

Visit [www.justiceforimmigrants.org](http://www.justiceforimmigrants.org) to send a postcard.
In the fractious debate surrounding both legal and illegal immigration to the United States, politicians, the public, and pundits alike eventually cycle back to one fundamental question – why don’t they come here legally? Why don’t the estimated 11.1 million unauthorized immigrants presently in the United States stand in line with the rest of the immigrants seeking to enter lawfully? If our ancestors did it, why can’t they?

In the United States today, there are an estimated 11.1 million unauthorized immigrants. Sixty percent of these immigrants are from Mexico. Another 20 percent are from other Latin American countries. Eleven percent comes from South and East Asia. Combined, unauthorized workers comprise more than five percent of the U.S. workforce.

Many understandably ask why these millions of unauthorized immigrants did not seek to come to the United States lawfully. Some argue that if their ancestors could do it, so should the unauthorized immigrants in our country today.

Many of our ancestors didn’t actually come here through federal “legal” channels – there weren’t restrictive federal immigration laws in place at the time.

Yet, until the 1870’s, the federal government did virtually nothing to restrict immigration to the United States. In most cases, immigrants who arrived to the United States in search of work or a new life simply settled in the country and became citizens after a period of time. In 1875, Congress passed the Page Law, restricting immigration of women engaged in polygamy and prostitution, with enforcement provisions particularly focused on Chinese women. Seven years later, in 1882, Congress promulgated the Chinese Exclusion Act of 1882, restricting immigration of Chinese laborers. Congress eventually expanded these restrictions on Chinese immigration to exclude Asian immigrants generally. However, immigration by those arriving from non-Asian countries was not significantly restricted until the 1920’s, by which time many of our immigrant ancestors had already arrived.
Indeed, during that period immigration from various parts of the world to the United States was widespread; by 1870, forty percent of the residents of New York, Chicago, and other major metropolitan areas, were foreign-born.\textsuperscript{x} In 1921, beginning with the Emergency Quota Act, the United States began to restrict immigration through the use of national origins quotas. \textsuperscript{xi} The quota system was restructured multiple times in subsequent years, leaving some regions of the world at a disadvantage at certain points. \textsuperscript{xii} In 1965, amendments to the Immigration and Nationality Act of 1952 abolished the quota system, prioritizing instead family-based immigration. \textsuperscript{xiii} Subsequent immigration laws have been increasingly restrictive. For instance, in 1986, the Immigration Reform and Control Act (IRCA) was passed to control and deter unlawful immigration to the United States, making it unlawful to knowingly hire unauthorized immigrants and increasing border enforcement. \textsuperscript{xiv} Ten years later, the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA) created penalties for those who had been “unlawfully present” in the country, establishing three and ten year bars to lawful reentry.\textsuperscript{xv}

\textit{Today’s unauthorized immigrants would prefer to live and work lawfully in the United States if they could.}

Moreover, according to two well-regarded opinion surveys of unauthorized immigrants in the United States, the large majority of those unauthorized in the country today would have preferred to enter lawfully if they could have. In fact, some 98 percent of those surveyed indicated that they would prefer to live and work lawfully, rather than in unauthorized status. \textsuperscript{xvi}

\textit{Under current laws, no “line” for lawful immigration to the United States actually exists for the majority of our immigrants.}

So, why didn’t they just “stand in line” to do so? For the large majority of unauthorized immigrants, no such “line” exists. \textsuperscript{xvii} Under the current immigration legal framework, lawful immigration to the United States is restricted to only a few narrow categories of persons. Most current unauthorized immigrants residing in the United States are ineligible to enter legally with a “green card” as a lawful permanent resident for the purpose of living and working in the country. This is because most do not have the family relationships required to apply for lawful entry; they do not qualify as asylees because of economic hardship as such status is available only to those who are fleeing persecution; and the majority of the unauthorized do not hold advanced degrees and work in the high-skilled professions that would qualify them for work-sponsored lawful permanent residency.

U.S. immigration laws provide three core means by which an immigrant may obtain lawful permanent residency. \textsuperscript{xviii} First, a qualified family member in the United States may petition to bring a foreign-born family member to the country lawfully. U.S. Citizens may petition for lawful permanent residency for their spouses, parents, children or siblings. Lawful Permanent Residents in the country may petition for their foreign-born spouses and unmarried children. To do so, sponsors must demonstrate an income level above poverty line and must commit to financially support the sponsored, foreign-born family member so that they do not become a public charge. The foreign-born immigrant, in turn, must meet all other eligibility requirements. \textsuperscript{xix} However, there are numeric limitations on most of these family-based categories, resulting in backlogs for entry that often range anywhere from five years to nearly 20 years.
Second, immigrants fleeing political persecution or a well-founded fear of future persecution on account of their race, religion, membership in a particular social group, political opinion or national origin may seek political asylum in the United States or qualify for refugee status. To do so, they must meet a high evidentiary burden. Even if they do qualify for refugee status, there is an annual cap on the number of refugee admissions to the United States, which is set annually and is typically between 70,000 and 80,000. Most of today’s unauthorized immigrants are fleeing poverty in their home countries, not political persecution. As a result, they do not qualify for asylum.

Third, and significantly, there are various immigration categories for workers to be sponsored by a U.S.-based employer to come to the United States to work and live lawfully. However, these categories are limited to multinational executives and professors; those with advance degrees, the exceptional in the arts, sciences or business; and narrowly-defined, specialized workers. Today’s unauthorized immigrants are largely low-skilled workers who come to the United States for work to support their families. They work in the agricultural, meatpacking, landscaping, services, and construction industries in the United States. They fill the ranks of U.S. businesses, large and small throughout the country. Over the past several decades, the demand by U.S. businesses for low-skilled workers has grown exponentially, while the supply of available workers for low-skilled jobs in the United States has diminished. Yet, there are only 5,000 green cards available annually for low-skilled workers to enter the United States lawfully. This number stands in stark contrast to the estimated 300,000 immigrants who enter the United States unlawfully each year, most of whom are looking for work. The only alternative to this is to secure a temporary work visa through the H-2A (seasonal agricultural) or H2B (seasonal non-agricultural) visa programs which provide temporary status to low-skilled workers seeking to enter the country lawfully. While H-2A visas are not numerically capped, the requirements are onerous. H-2B visas are capped at 66,000 annually. Both only provide temporary status to work for a U.S. employer for one year. At their current numbers, these are woefully insufficient to provide legal means for the foreign-born to enter the United States to live and work, and thereby meet our demand for foreign-born labor.

The U.S. Conference of Catholic Bishops (USCCB) believes that current immigration laws must be reformed to meet our country’s need for low-skilled labor and facilitate the reunification of families.

The USCCB believes that immigrants should come to the United States lawfully, but it also understands that the current immigration legal framework does not adequately reunify families and is non-responsive our country’s need for labor. Our country must pass immigration reform laws to ensure the rule of law in the United States, while simultaneously ensuring that the laws that rule are responsive to our economy’s demand for labor, rooted in the reunification of family, and respectful of the humanity of the immigrants in our midst. The USCCB supports immigration reform that would increase the number of visas available for low-skilled workers and facilitate family reunification.

Prepared by Cynthia M. Smith, Esq., Policy Advisor, Office of Migration Policy & Public Affairs


iii Id.

iv Id.


vi Kevin J. Fandl, *Immigration Posses: U.S. Immigration Law and Local Enforcement Practices*, 34 J. Legis. 18 (2008) (“The United States passed its first immigration law in 1790, which formally moved the topic of immigration from state to federal control and which established a uniform rule of naturalization by requiring residence for two years. This residence requirement was expanded to five years in 1795, where it remains today. It was not until 1798 that an alien registry was established and records of arriving aliens were kept. . . . not until 1862 was a prohibition on a type of immigrant enacted. Thus, all non-dangerous immigrants were allowed entry into the United States and an opportunity to become citizens through the beginning of the Civil War.”).


viii Id. at 645.


x Id.

xi See Act of May 19, 1921 (Quota Act (Three Per Cent Act)), ch. 8, § 2, 42 Stat. 5, 5 (repealed 1952) (establishing the three percent immigration quota limit).

xii See, e.g., Act of May 26, 1924 (Immigration Act of 1924), ch. 190, § 11, 43 Stat. 153, 159 (repealed 1952) (reducing the quota to two percent).


xviii Id.

xix Id.

xx http://www.immigrationinformation.org/USfocus/display.cfm?id=734 (last visited, January 18, 2010).

xxi Id.


xxiii Id. at 6.


xxv Hanson, *The Economics and Policy of Illegal Immigration in the United States* at 6.
By Bishop John C. Wester
Editor’s note: In light of the recent debate over Arizona’s new immigration law and responses to Archbishop Jose H. Gomez’s essay “Archbishop: Catholics’ role in immigration reform solution” in our May 2 issue, Our Sunday Visitor asked Bishop John C. Wester of Salt Lake City, chairman of the U.S. bishops’ Committee on Migration, to answer some of our readers’ toughest questions about the Church’s position on immigration.

Question: What don’t the bishops understand about “illegals”? Why disrespect the rule of law?

Answer: The U.S. bishops and the teachings of the Catholic Church have consistently respected the right of the sovereign to control its borders, as well as the rule of civil law. However, the Church, along with other members of our democratic society, has the right to work to change laws which are believed to violate basic human dignity, dignity imbued by the Creator.

In the case of immigration, the U.S. bishops believe that the broken U.S. immigration system contributes to the exploitation of migrant workers in the workplace; their abuse by ruthless smugglers; and their deaths in the desert as they seek to find work to support their families. They come illegally because there are insufficient visas under the current system to come legally. Our system contains only 5,000 permanent visas for unskilled laborers to come to the United States each year; as many as 300,000 undocumented people each year are absorbed into the U.S. workforce.

Comprehensive immigration reform, which the U.S. bishops support, would replace illegality with a system based on legal presence and legal entry, thus restoring the rule of law to a chaotic system while also protecting the basic dignity, and lives, of our fellow brothers and sisters. It would require those who have broken the law to get on the right side of it by paying a fine, taxes, learning English and waiting in the back of a long line to have a chance to become a U.S. citizen. This “path to citizenship” is in the best interests of migrants, who are able to become full members of their communities, and our nation, which will continue to benefit from their contributions without sacrificing our long-held values as a nation of immigrants: freedom, fairness and opportunity.

Question: Is this welcoming of Latinos because they are Catholic? If not, do you also support opening our borders to impoverished people from Arab and Asian countries?

Answer: The support of the U.S. bishops for immigration reform is not because the majority of immigrants at this point in our history are Latin or Catholic. The Catholic Church needs Our Lord’s call to “welcome the stranger” to all children of God, regardless of their ethnicity, national origin, race or religion. This is evident in all of the social-service programs of the Catholic Church, which base their outreach on “need,” not “creed.”

Having said that, the fact that the majority of immigrants are Catholic makes it more real for many Catholics, since many immigrants are present in our service programs, health care centers, schools and parishes. We, as a Catholic community, directly witness the human consequences of a broken system each day, when immigrant families come to pastors and priests to help their families. We can only help these families, and keep them together, by changing our immigration laws.

Finally, despite assertions to the contrary, the U.S. bishops do not support “open borders,” but support generous, but reasonable, immigration policies that serve the common good.

Question: The current situation of illegal immigration is causing an unsustainable strain on social services. Do the bishops not see that as a problem?

Answer: There are several myths in this area. First of all, most studies show that, although at an early age immigrants consume more than they contribute, over a lifetime they are net contributors to our economy through the taxes they pay, the goods they produce and consume, and their labor. Moreover, legal immigrants do not qualify for welfare or health care for the first five years of their residency in the United States, while undocumented immigrants never qualify for such benefits. In fact, undocumented immigrants pay billions in income taxes each year and at least $7 billion in Social Security taxes, helping to sustain Social Security for the baby-boomer generation.

By adopting comprehensive immigration reform and providing the undocumented legal status, the United States would receive even more income taxes and Social Security payments from immigrants, since they would be required to register with the government and pay their full share.

Question: What kind of immigration reform do the bishops want exactly? Amnesty? Open borders?

Answer: Neither. The U.S. bishops’ prescription for mending our broken system is to bring the 11 million undocumented out of the shadows, register them with the government, require them to pay a fine and any taxes owed, and require them to learn English and work as they wait in the back of the line for a chance for citizenship. This is not “amnesty,” which is generally defined as granting a benefit without anything in return.

The U.S. bishops would also support an increase in family-based and employment-based visas so that immigrant families could migrate to the United States in a safe, legal and controlled manner, and not be subject to the abuse of human smugglers or to death in the desert.

It is our view that making changes to the legal immigration system will help ease pressure on our border by taking undocumented immigrants out of the enforcement equation, freeing up law enforcement to focus upon those who are here to harm us — drug smugglers, human traffickers, and would be terrorists — and not those simply looking for a job.

We also believe, as mentioned earlier, that Congress should examine how the root causes of migration can be addressed, so that migrants can stay where they are and work in dignity.

Bishop John C. Wester heads the Diocese of Salt Lake City and is chairman of the U.S. Conference of Catholic Bishops’ Committee on Migration.
January 2, 2011

Dear Brothers and Sisters in Christ,

As observed in the recent debates, both nationally and locally, immigration is an issue which requires further catechesis to understand the true teaching of our Church with respect to immigrants currently among us and in the formation of our public policy. This week, the priority of our annual observance of National Migration Week, sponsored by the United States Conference of Catholic Bishops, is to provide us with a way to receive formation on the universal teaching of our Church regarding immigration and how it may be applied and lived.

Our focus for National Migration Week this year reflects the emphasis our Holy Father has given to the annual observance by the Church of World Day for the Migrant and Refugee; the human family. Thus, during this National Migration Week, I encourage your study of the teaching of our Church on migration, our Catholic understanding of the role of the State to regulate migration, defend its borders, its laws and its citizens, and to recognize that, in keeping with our teaching, migrants are also members of the one human family, our brothers and sisters in the Lord.

For more information on our responsibilities and those of migrants, I invite you to access the United States Conference of Bishops website at www.usccb.org/mrs/nmw/index.shtml or our Diocesan website at www.dioceseofraleigh.org. Here you will find resources regarding this important issue, including information on the recent Justice for Immigrants initiative of the United States Conference of Catholic Bishops.

May our observance of 2011 National Migration Week renew our commitment to seek further formation in our Catholic faith and how it may strengthen our great nation by giving renewed hope and justice for migrants and reflect that we all comprise the one human family of God. May Our Lord Jesus bless you in all of your endeavors in this new year and may Mary, Mother of the Church, watch over you and guide you always.

Sincerely in Christ,

Michael F. Burbidge
Most Reverend Michael F. Burbidge
Bishop of Raleigh
By Dr. Sue Weishar, Migration Specialist

Immigration and Customs Enforcement (ICE) of the Department of Homeland Security operates the largest detention system in the world.1 During FY 2010, almost 400,000 immigrants were detained in a patchwork of facilities—mostly penal institutions—in more than 300 locations run largely by county or state law enforcement authorities or private contractors with little direct federal oversight2—at a cost of $1.77 billion.3 Reports of abuse and neglect of immigrants in detention facilities across the country are numerous and disturbing.4

The system for detaining immigrants in this country has largely been unplanned and its conceptualization deeply flawed. If the purpose of the deportation process is to accomplish the administrative tasks required to remove from the U.S. individuals found to be lacking legal remedy to remain in the country, then persons need only be detained when found to be a flight risk or a danger to the public. If they must be held to complete their processing for removal—again, an administrative task—they should be held in facilities where such processing can occur without the collateral harm to one’s dignity and personal liberty which is inevitable when immigrants are held in jails and prisons—facilities built and operated to punish people. Instead, the detention paradigm favored by U.S. immigration officials for many years has been to detain as many persons as possible in prison-like conditions.

Therefore, it was welcomed news when the Assistant Secretary of ICE, John Morton, announced in August 2009 that ICE intended to overhaul the country’s immigration detention system in a major reform effort. Secretary Morton stated that the goal of reform is to move ICE away from a decentralized, jail-oriented approach to “a system wholly designed for and based on ICE’s civil detention authorities” (emphasis added). Instead of relying primarily on excess capacity at penal institutions—another consequence of poor planning—Morton said that ICE intended to design and build facilities located near legal service providers and major transportation hubs and operate them for immigration detention purposes. Improved medical care, custodial conditions, and ICE oversight were promised as well.5

One of the seven areas where ICE intends to focus its reform efforts includes Alternatives to Detention Management, with the goal of developing a “national strategy for the effective use of alternatives to detention including community supervision.”6

A year later, advocates are disappointed in the pace of progress in implementing reform objectives, but nevertheless hopeful. A report by Detention Watch Network, the National Immigrant Justice Center, and the Midwest Coalition for Human Rights commends the leadership of ICE for its commitment to detention reform. In the area of Alternatives to Detention (ATDs), advocates were pleased that ICE had begun development of a risk assessment tool to make custody determinations based on an assessment of flight and security risks. Nevertheless, the tool is based on the presumption of detention unless an individual can prove eligibility for release, and it does not assess how particularly vulnerable people like victims of violence and survivors of torture will be affected by detention. The report also notes that, as of October 2010, no formal nationwide implementation plan for ATDs has been developed, and only 23,000 immigrants had participated in ATD programs in fiscal year 2010.7

Up until November 2009, ICE operated three ATD programs. Private vendors on contract with ICE provided two of the ATD programs—the Intensive Supervision Appearance Program (ISAP) and Enhanced Supervision Reporting (ESR).8 Both involved the use of telephonic reporting, radio frequency tracking by means of signals emitted by ankle devices, global positioning via coordinates provided by ankle devices, and unannounced home visits. ISAP, the most costly and intensive of the three strategies, also used curfew checks and employment verification. The third ATD program, known as Electronic Monitoring (EM), is operated...
by ICE and utilizes telephonic reporting, radio frequency, and/or global positioning tracking.9 ICE reported that 87 percent of ISAP participants, 96 percent of ESR participants, and 93 percent of EM participants appeared at their removal hearings. ISAP cost only $14.42 a day per participant to operate, ESR costs were $8.52 per day, and the costs for ER are between 30 cents and $5 per day—not including the cost of ICE staff time on these programs.10 These costs are far lower than the average cost of detaining an immigrant, which was estimated to be $144 a day in 2009, including ICE’s operational expenses.11 The National Immigration Forum calculated that ICE could cut its detention costs in half if immigrants with no criminal convictions were routinely placed in an ATD instead of detained.12

A frequent criticism of ICE’s ATD programs is that the reporting requirements are disproportionate to achieving the government’s objective that participants appear at their immigration court proceedings. The case management services provided by ICE’s ATD programs leave much to be desired as well. Instead of assisting clients in securing adequate legal representation, immigrants are often simply provided lists of sometimes-outdated legal service providers. Advocates report that ICE’s programs do not provide immigrants with adequate information on the requirements for compliance, how the immigration legal system works, or the consequences of not making court appearances. Another complaint is that the electronic monitoring used extensively by the programs through the use of ankle bracelets is not only intrusive and onerous (e.g. some immigrants have to sit by a wall socket three hours a day to recharge the devices), they are also dehumanizing.12 One of the women who were placed on ankle devices after the largest immigration raid in U.S. history at Howard Industries in Laurel, Miss., told a member of the Loyola Immigration Law Clinic, “We are not cattle. We do not need to be marked like this.”13

Immigrant advocates have been urging ICE for years to release from detention individuals that do not pose a security or flight risk, or to refer individuals to community-based alternatives to detention programs when ICE has demonstrated that some level of supervision is required.

In the next JustSouth Quarterly, I will describe a community-based Alternative to Detention Program I administered at Catholic Charities Archdiocese of New Orleans that was cheaper, more effective, and more humane than detaining immigrants or placing them in one of ICE’s highly restrictive ATD programs.

ENDNOTES

2 Dora Schiro, Immigration Detention Overview and


6 Ibid.


8 In November 2009, ISAP and ESR were merged into ISAP II. ICE contracted with BI Incorporated to run ISAP II, the same private company that ran ISAP. In December 2010, BI was bought by the private prison company GEO Group.

9 Ibid., Schiro.


Myths about Immigration

**MYTH:** Immigrants increase the Crime Rate

**FACT:** Recent research has shown that immigrant communities do not increase the crime rate and that newly arriving immigrants tend to commit fewer crimes than native born Americans. Ruben Rumbaut, a professor of sociology at Brandeis University, found that “even as the undocumented population has doubled to 12 million since 1994, the violent crime rate in the United States has declined 34.2 percent and the property crime rate has fallen 26.4 percent.” Cities where there are high levels of immigrants, such as New York, Chicago and Miami experienced declines in violent crime during this period. Other cities with numerous immigrants, such as El Paso and Laredo, are among the country’s safest cities to live in.


**MYTH:** Immigrants Don’t Pay Taxes

**FACT:** Undocumented immigrants pay taxes. Between 50-75% of undocumented immigrants pay federal, state and local taxes. They also contribute to Medicare and provide as much as 9 billion dollars a year to the Social Security Fund. Further still, undocumented workers pay sales taxes where applicable and property taxes—directly if they own and indirectly if they rent.

MYTH: The Catholic Church Supports Illegal Immigration and ‘Open Borders.’

FACT: The Catholic Church does not support law breaking or open borders. “The Bishops of the United States recognize the validity of and need for effective border enforcement that protects Americans from criminal and terrorist elements, allows for orderly and legal immigration, and respects the sovereign rule of law of the United States.”


MYTH: Immigrants are a Drain on the United States Economy

FACT: The immigrant community in the United States is, in fact, a net benefit to the economy. A recent Congressional Budget Office Report states that “over the past two decades, most efforts to estimate the fiscal impact of immigration in the United States have concluded that, in aggregate and over the long term, tax revenues of all types generated by immigrants—both legal and unauthorized—exceed the cost of the services they use.” Research reported by both the CATO Institute and the President’s Council of Economic Advisors reveals that the average immigrant pays a net $80,000 dollars more in taxes than they collect in government services. For immigrants with college degrees the net fiscal return is $198,000.


MYTH: Undocumented Immigrants are a Burden on the Healthcare System

FACT: The National Immigration Law Center reports that the typical immigrant spends less than half the dollar amount for medical services when compared with the typical U.S. citizen. For example, in Los Angeles County, “total medical spending on undocumented immigrants was $887 million in 2000 – 6 percent of total costs, although undocumented immigrants comprise 12 percent of the region’s residents.” Further, federal law generally bars undocumented immigrants from using Medicaid benefits except in emergency situations. Even then, immigrants as a group are significantly less likely to use emergency room services than are American citizens.

(Source: Center for American Progress, Immigrants in the U.S. Healthcare System (June 7, 2007); National Immigration Law Center, “Health Care Expenditures for Immigrants are Lower than for Citizens,” (May, 2009), www.NILC.org; Dana P. Goldman, James P. Smith and Neeraj Sood, “Immigrants and the Cost of Medical Care,” Health Affairs 25, no. 6 (2006): 1700-1711)