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**Questions Pertaining to Becoming a “Sanctuary” Designated Parish
FAQs Prepared for First Parish in Needham, MA
(See Attached List of References Used in Preparing this Document)**

NOTE: This document is a draft and may be revised by the Sanctuary Task Force as we learn more about the sanctuary process. All feedback is welcome.

I. WHAT DOES IT MEAN TO BECOME A “SANCTUARY” DESIGNATED CONGREGATION?

When a Church declares itself a Sanctuary congregation, it is making a public statement that the congregation is willing to engage in a spectrum of solidarity actions including welcoming undocumented people, advocating to help stop state deportations, assisting with legal clinics, and physically sheltering an immigrant in danger of immediate deportation.

II. ARE THERE LEVELS OF “SANCTUARY” CONGREGATIONS?

Current terminology refers to Sanctuary Congregations as either a Level 1 or Level 2 facility. A Level 1 Sanctuary facility is one that provides physical sanctuary for a person, while a Level 2 Sanctuary facility provides support for a Level 1 Sanctuary facility. Recently, some are using the phrase “Level 3” Sanctuary to describe individuals or civic groups that are supportive of the Sanctuary movement but who are not representing a specific congregation.

A Level 1 physical Sanctuary is an act of civil disobedience, in which a church, mosque, temple or other house of worship offers shelter inside its building to a person facing deportation from the United States. People need sanctuary because deportation can have catastrophic and even fatal consequences for themselves and their families. Undocumented immigrants who live in “mixed-status” families (who have U.S. citizen children who were born in this country, e.g.) face permanent separation from their loved ones if they are deported (there is often a bar to reentry after a deportation order and steep legal consequences for violating it). Many people coming from Central America, Haiti and other places are asylum seekers whose lives will be in danger if they are sent back. It has been well-documented, moreover, that criminal networks prey on recent deportees from the United States in many of these countries, because they are perceived as having access to resources. **Deportation can literally lead to death. Offering sanctuary can save lives.**

A further goal of providing physical Sanctuary is also to **amplify the moral imperative to stop deportations** by lifting up the stories of sanctuary cases and ensuring the prophetic witness of the immigrant taking sanctuary is heard at the national level. The strategy is to bring attention to the issue of deportation, not to secretly harbor a fugitive (see section on legal consequences).

A Level 2 Sanctuary doesn’t actually provide physical shelter for a person facing deportation from the United States. Instead, members of a Level 2 Sanctuary Congregation provide support and assistance to another Sanctuary Congregation that is actually providing physical shelter for someone.

Note that both Level 1 and Level 2 designations are considered Sanctuary Congregations.

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WHY DO CONGREGATIONS PURSUE A SANCTUARY DESIGNATION?

As a community we are called to action to uphold our principles when we see injustice in the world. Offering physical sanctuary and supporting congregations offering physical shelter are representations of our faith in action and acts of civil disobedience in response to unjust laws that adversely affect our neighbors. Sanctuary is one of the most ancient traditions that we have as a people of faith. In the United States the first practical provision of anything like sanctuary occurred in the years before the Civil War. The Underground Railroad came into being to help slaves flee the South and find safety in many congregations throughout the country. Author Fergus M. Bordewich, in his book titled Bound for Canaan: The Epic Story of the Underground Railroad, America's First Civil Rights Movement, describes the formation of the Underground Railroad as one of the greatest acts of civil disobedience in this country. Now the Sanctuary Movement again is playing a critical role in responding in the post-election reality wherein fear, discrimination and xenophobia are animating our country's politics. As the Trump administration threatens to deport millions of people, we, as people of faith, have a moral responsibility to act. Toward this end, sanctuary is a tool to resist efforts to disrupt and endanger the lives of our neighbors who face a deportation order.

III. HOW DOES THE PROCESS ACTUALLY WORK AND WHAT IS ITS LEGAL STANDING?

Level 1 Sanctuary churches can offer physical sanctuary inside their building to people facing deportation because the Immigration and Customs Enforcement (I.C.E.) agency regards houses of worship as a "sensitive location," and to-date have been unwilling to raid them. This, however, is purely an internal guideline and it could be revoked at any time. **Moreover, it is only the interior of the church building itself that is considered a "sensitive location" under ICE policy.** Other locations, including private homes, other church property, parsonages, etc., would not offer the same protections or have the same immunity from raids.

The **good news** is that ICE and its predecessor agency, the INS, have never been willing to raid churches, since the sanctuary movement first got underway in the 1980s. In particular, a church like First Parish would be insulated by our privilege in many respects. The chances are incredibly slim that a federal agency would descend on a suburban church and apprehend a person living here. Both forms of Sanctuary offer First Parish a way to leverage some of the privilege we have as a well-off and well-educated suburban church to stand up for our neighbors.

How do most Level 1 Sanctuary Churches attract and determine eligibility for participating in Sanctuary? First, sanctuary typically applies to people who have already had an immigration court proceeding and have received a deportation order from an immigration judge. Sanctuary would not be relevant to the millions of undocumented people living in this country who have not come to the attention of ICE or been targeted for deportation. So, the person seeking sanctuary is not a stranger to the authorities. ICE already has their address and knows where they are. By entering sanctuary, they are not going into hiding. Rather, they are openly declaring sanctuary, and the church is effectively daring the authorities to violate their own internal policies and bring public opprobrium on themselves by raiding a church, on the assumption that they will not be willing to do so. **It is the moral authority of churches, not their legal standing, that makes them safe places to seek refuge.**

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In nearly all cases currently on record, **the person seeking sanctuary would live in the church as an individual, not as a family unit**, or at most they would arrive as a mother and a very small child, as deportation orders can only be issued against individuals or family units that were apprehended while crossing the border together. Moreover, people in sanctuary are already working with a **legal team** that is advising them how and where to go into sanctuary and will be advocating with ICE directly to drop their deportation order while the individual or family members are in sanctuary. **If First Parish votes to become a Level 1 Sanctuary, the congregation would be in close contact with this legal team throughout the entire process.**

It is unlikely that a family or individual would present themselves to the church directly for sanctuary, unless they were already a member of First Parish. It is more likely that they would first contact a local immigrant rights group or community organization, such as the Chelsea Collaborative, which has deep ties to the immigrant community in the Boston area. **UU Mass Action works closely with many of these organizations, and is keeping track of potential sanctuary cases. If any specific needs for sanctuary arise, they would probably be the first to contact a designated Level 1 Sanctuary congregation and would work with an individual congregation to discern whether the case was a good fit.**

Sanctuary lasts as long as it takes to convince ICE that the case is no longer worth pursuing. Since these are not formal legal proceedings, the person in sanctuary does not need to be present for any court dates or hearings. What happens in a successful sanctuary case is simply that the regional ICE officer decides to use her or his prosecutorial discretion to drop a case against a particular person. Ultimately, people do not “win” their case, in the legal sense. **However, through raising the public visibility of a given case, the public act of providing Sanctuary can convince ICE to abandon their enforcement effort and administratively close the case.** The congregation works to make the case visible and raise public awareness in the meantime to put pressure on ICE to do so.

At the time that these materials were prepared (2016-2017), all but one of the 18 sanctuary cases that have happened in churches nationwide since 2014 have been successful. This is a model with a proven track record of success. In most of the cases since 2014, it has taken people an average of 9-18 months to secure relief. Seventeen of eighteen people taken into sanctuary in other churches across the US so far have had their cases brought to a successful conclusion (i.e., the deportation order was dropped) with the remaining case still pending (it is also the most recent case). **We have been advised that a Level 1 Sanctuary which houses an individual or family members facing deportation should expect a stay of up to a year and a half.**

Even if First Parish becomes a Level 1 Sanctuary congregation, that does not mean we are committed to offering sanctuary to any person who asks for it, or who is referred to us for sanctuary. First Parish can choose to adopt whatever guidelines it thinks best in terms of assessing the appropriateness of a given case. The Parish’s designated **Sanctuary Task Force** would create a set of guidelines for making this determination that are fair, non-discriminatory, and consistent with our values as a community. For instance, there needs to be a plausible avenue for relief from deportation if a person is to enter sanctuary. **The worst of all possible cases would be that someone is taken in for sanctuary whom we ultimately cannot help** and the case ends in a traumatic raid or separation. It is within the Parish’s purview therefore to

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ensure that an individual has his/her own legal team and a solid chance of relief before they enter sanctuary.

That said, we should support each other in keeping an open mind and open heart in assessing which cases we are willing to take on. We should encourage ourselves to remember that many people might not have a spotless arrest record, for instance, but that doesn't mean they deserve to be separated from their families and communities. We have to bear in mind that people have been targeted for deportation orders in the past for such minor offenses as: 1) harmless immigration violations, like "illegal entry" at the border; 2) non-violent offenses like minor drug possession, with the original offense in many cases being years or decades in the past; 3) "crimes of survival" that are unavoidable for undocumented people trying to live and work in this country, such as driving without a license or giving a false social security number to an employer. Deportations on these so-called "criminal" grounds, which were already a major focus of the Obama administration, are likely to become even more prevalent under Trump.

IV. WHAT DOES THE PARISH NEED TO CONSIDER BEFORE BECOMING A "SANCTUARY" DESIGNATED PARISH?

There are a series of decisions/steps that the Parish would have to consider in the process of deciding if it wants to embrace becoming a "Sanctuary-designated Parish." In brief form, these are the basic questions that the Parish would have to address:

- Is there a desire among members of First Parish to uphold or live our principles when we see innocent people subjected to unjust laws that adversely affect their lives as well as the lives of their children and family?
- In deciding between becoming a Level 1 or a Level 2 Sanctuary, the Parish would have to weigh many issues. The following is a brief listing of some of the issues requiring deliberation and careful assessment:
 - Level 2 Issues:
 - Meeting with the Level 1 Sanctuary Church to determine the range of the support they are seeking
 - Assessing the availability of First Parish volunteers to respond to the required tasks
 - If there are financial costs associated with our volunteer roles—for example, covering food costs for so many meals per month—the Parish should anticipate that it may have to raise a portion of or all of the money required to cover the food purchases
 - Keeping in mind that it's reasonable to expect that someone would be in Sanctuary for 9-18 months, are our volunteers willing to commit to that amount of time?
 - Location of Level 1 Parish will impact the time that it takes to travel to and from the site and will add to the amount of time that volunteers will need to commit. How far away is the Level 1 facility? What's the drive time to the facility from our Parish? For example, a facility that requires at least an hour of drive time to reach may not be as good a match for First Parish as a facility that is located about 15 minutes away.
 - Level 1 Issues:

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- Determine if the Parish has appropriate space for housing someone
- Identify what modifications would have to be made to the site to make it livable
- Raise funds to make modifications; e.g., install a shower nearby the living area
- Determine if the Parish can absorb the impact of giving up space without negatively impacting the programming it provides for its own members
- Determine if hosting someone in Sanctuary would have a negative impact on the Parish's sources of rental income; e.g., Children's Day Care; Ballet; etc.
- Determine what additional costs the Parish might expect to incur if someone was living on-site
- Will the Parish be able to raise the additional funds required to support a Level 1 Sanctuary?
- Appoint a leadership team responsible for coordinating and managing all of the volunteer aspects of the project
- Seek the support of Level 2 Sanctuary churches to assist in carrying out the tasks associated with providing shelter on-site
- All of the Level 2 issues with the exception of the last bullet listed under Level 2.
- (For more information on physical space requirements, consult the Interfaith Sanctuary Toolkit - Titled Sanctuary Toolkit - March 2017 on the FP website

V. WHAT ARE SOME OF THE ADDITIONAL CONSIDERATIONS IN DETERMINING AN APPROPRIATE PHYSICAL SPACE FOR SOMEONE TO LIVE?

If seeking Level 1 Sanctuary status, members of the Parish Committee would need to work with members of the Parish's Facilities Committee to determine the most appropriate space. An ideal location would be one that offers some privacy and is near a bathroom, a shower, and a kitchen area. In addition to providing privacy for the individual in sanctuary, the Parish would want to identify a space that would have the least impact on congregational and community activities. Accessibility to a washer/dryer nearby would eliminate the need for volunteers to do laundry on a weekly basis. The cost of any remodeling would also be a consideration.

VI. WHAT WOULD BE THE VOLUNTEER NEEDS TO SUPPORT SOMEONE LIVING IN SANCTUARY?

Question: Can a person in sanctuary ever leave the church building?

Answer: People in sanctuary will make their own best determinations as to when they are willing to leave and what risks they are going to take, but, **generally, people in sanctuary are at risk of apprehension and deportation everywhere but the church building, so the assumption should be that they will probably not wish to leave the church for any length of time until the case against them is closed and they secure relief from deportation.** This means that they cannot work, purchase their own groceries, etc. while they are in sanctuary, and the church must take responsibility for providing for their daily needs and comfort. The important thing to

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keep in mind in all this, however, is that people in sanctuary make the decision to enter sanctuary and are the leaders of their sanctuary case. We can do our best to help assess risks, but it is up to the people in sanctuary to decide which risks are worth facing, and for what reasons. **The assumption at the front end, however, needs to be that they are effectively under a form of involuntary house arrest for as long as they stay here, because they are at risk everywhere else.**

There will be many ongoing needs for someone who is in Sanctuary including simple social interaction. **Sharing meals, visiting, hosting game nights, and other activities are all things parishioners can do for someone in sanctuary.** We would have to set up a volunteer page through ivolunteer.com or lotsahelpinghands.com where people can see what is needed and volunteer. The Parish would have to be willing to welcome and work with volunteers who are members of Level 2 supporting congregations. Shopping, medical, dental and mental health services will have also to be considered and we will look for professionals who are willing to donate their services and do house calls.

We would also need to assess any security concerns that might arise from housing someone in Sanctuary. For example, some congregations have volunteers who manage access to the building by providing coverage at the door to monitor who is seeking to enter.

We would need to launch and support a media campaign to make the public aware of unjust laws and the human face that is affected by those laws. Efforts can include holding candlelight vigils, publicizing through the media and social media, writing letters, signing petitions, and making phone calls. **All of these efforts help us win in the court of public opinion.**

Questions have been raised as to the education needs of children in sanctuary, and whether the church would need to provide for these through volunteers. Answer: It is fairly unlikely that our sanctuary case would involve a family with school-age children. In most cases, the person at risk of deportation is one adult member of a family. However, in the unlikely event that a family with a school-age child would enter sanctuary as a unit, **their child could leave the building in the morning to go to school (though they might need a ride).** It is really only the parent who cannot leave the church. Public schools are legally obliged to provide an education to all children in their jurisdiction, regardless of immigration status. The government is not permitted to do anything that would deny equal access to education to school-age children on the basis of immigration status – which certainly means they cannot deport them simply because they were trying to get to school.

Members of the First Parish Immigration Task Force visited with a number of other congregations over the summer. Two members also attended the mandatory training for all sanctuary volunteers, which would be required of all FP volunteers as well.

VII. WHAT WOULD BE THE FINANCIAL NEEDS (BEYOND THE CHANGES TO THE BUILDING) AND HOW WOULD WE MEET THEM? WHAT KIND OF SUPPORT CAN WE EXPECT FROM OTHERS?

Once we have a preliminary indication from the Parish regarding its present commitment to becoming a Level 1 or Level 2 Parish, we will obtain cost estimates to present to the Parish. The

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congregation would need to consider other commitments, both monetary and in volunteer hours. If we were to become a Level 1 Parish, we would definitely want to reach out and find other congregations that were willing to support our efforts by becoming Level 2 congregations, supporting our efforts with additional volunteers. The national New Sanctuary Movement (NSM) organizers will help publicize our sanctuary case, assist us in raising visibility, and collect donations to provide legal assistance and humanitarian support to the people/person living on our premises.

We believe that UU Mass Action - an organization that has been a supportive partner to other congregations in the discernment process - will pledge their support in helping us to fundraise, recruit volunteers, and publicize our case. **UURISE** is a UU immigrant rights organization in California that specifically exists to support UU congregations who are in discernment about sanctuary. We will reach out to both UU Mass Action and UURISE once we have a clearer indication of the Parish's preference for becoming a Level 1 versus a Level 2 congregation.

The funding for this project will be wholly separate from the First Parish budget. It will come through a separate sanctuary fund that will be replenished via individual donations, grant money, crowd-funding, etc. All the partners named here can help spread the work that sanctuary funds are needed. Other churches offering sanctuary have had considerable success with crowd funding.

Day to day expenses of offering sanctuary will vary considerably depending on the financial situation of the person or people in sanctuary. In many cases, people or their family members will have the financial resources to purchase their own groceries, etc. so long as our volunteers can actually pick them up for them at the store. Many people who enter sanctuary have already lived and worked in this country for years, and have family members working here as well, and are not destitute. This will not universally be the case, however, so we can't predict in advance what all the financial needs will be.

VIII. POTENTIAL LEGAL CONSEQUENCES AND THE EFFECT OF POLICY CHANGES UNDER TRUMP.

Can the church or anyone at the church be charged with harboring a fugitive or otherwise be held legally accountable? Answer: It is possible, but extremely unlikely. While the Immigration and Nationality Act forbids "harboring" a person who does not have legal permission to be in the United States, this provision is seldom enforced. **In the whole history of the sanctuary movement to date, no church, minister, or lay leader has ever been prosecuted on this basis.**

Moreover, people in sanctuary are not in hiding, and many courts therefore do not consider their case to fit the definition of "harboring." Harboring typically involves concealing someone from the authorities, whereas all sanctuary cases are announced publicly as soon as they begin – in fact, churches typically do everything they can to *raise* the public visibility of the case, as this is what helps to convince the government to abandon its enforcement actions. Every sanctuary case begins with the congregation sending a form letter to their local ICE regional director saying that they are offering sanctuary and to whom, giving the address of the church, etc.

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That said, providing sanctuary is a form of civil disobedience, pursued in defiance of public authorities. As with all acts of civil disobedience, there may be a range of costs and consequences associated with it. **Prior to becoming a Level 1 Sanctuary Congregation if that is the Parish's desire, we would enter into conversations with our insurance company and other stakeholders who use our building to inform them of the sanctuary possibility and address any concerns that might arise.**

Finally, **we cannot ignore the possibility that Donald Trump will revoke the designation of churches as "Sensitive Locations," though he has not done so yet.** We do not know if this president will be willing to go to the shocking lengths of raiding a church for the purpose of apprehending someone. This is another one of the unknowns in this work, and must be part of the risks we weigh in considering whether or not to offer sanctuary.

As a Level 2 Sanctuary congregation, we would be less likely to face any legal issues, but it is always possible that there may be some individuals in the external communities surrounding us that would take issue with our supporting someone in Sanctuary. We've encountered such reactions in the past when we've taken a stand on social justice issues; e.g., becoming a welcoming community, supporting gay marriage, etc.

For additional information on potential legal issues surrounding becoming a Sanctuary Parish, consult the ACLU publication – [SANCTUARY CONGREGATIONS AND HARBORING FAQ](#) – posted on the Parish's designated Sanctuary webpage.

IX. RECOMMENDATION OF THE IMMIGRATION TASK FORCE

At this time, the Immigrant Ministry recommends that First Parish become a Level 2 Sanctuary Congregation. By becoming a Level 2 Sanctuary site, we are taking a stand on a critical social justice issue. This route provides us with the opportunity to contribute and test our resolve while educating ourselves on what would be required of us if we were to choose to become a Level 1 Sanctuary site at a later date.

The above statement would simply acknowledge that First Parish commits to becoming a Level 2 Parish. It would **NOT** commit us to partnering with a specific congregation that has voted to become a Level 1 Sanctuary. Once First Parish decides if it wants to become a Level 2 Sanctuary Parish, the Immigrant Ministry and the Sanctuary Task Force will monitor Level 1 Sanctuary congregations in our geographic area. The Sanctuary Task Force will meet with members of the Level 1 congregation(s) once the congregation has accepted someone into sanctuary to assess the viability of partnering with one of them as a Level 2 Sanctuary Parish.

Once the Sanctuary Task Force has identified one or more potential partnerships, materials will be prepared and presented to the Parish Committee (as needed). Sanctuary Task Force will choose Level 1 to pair with (with approval/discretion of Parish Committee).

Process for Partnering with a specific Level 1 Sanctuary Congregation:

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Before declaring support as a Level 2 Sanctuary Parish with a Level 1 congregation with a family or individual in residence, the Parish will engage in the following discernment and decision process:

- **Provide a description of resident(s) living in sanctuary at Level 1 sanctuary congregations within First Parish's geographic area (This assumes that there may be more than one congregation housing someone in residence. If there is only one Level 1 congregation with someone in residence, that information will be brought to the Parish.)**
- **Provide a list of the volunteer support activities that the Level 1 congregation has listed as needed.**
- **Provide information on how many volunteers and/or hours of support are desired by the Level 1 congregation, including as much specificity about time slots available, desired time commitment for each volunteer, minimum hours of support expected of a Level 2 congregation, etc. as we can obtain.**
- **Provide an estimate of any expenses that are anticipated in voting on a specific Level 2 commitment, including information on how that money will be raised.**

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List of Reference Materials

(The following materials are available on First Parish's dedicated webpage on Sanctuary:)

- FAQs Prepared by First Parish in Bedford and the New Sanctuary Movement
- Sanctuary Toolkit: Developed for Unitarian Universalist Congregations Considering Offering Physical Sanctuary (Publication Date: February/March 2017)
(This is a useful resource for anyone seeking a broad overview of the sanctuary movement . The document also contains practical information on what is involved if a congregation hopes to become a Level 1 sanctuary.)
- Brief Summary of Sanctuary Toolkit: Developed for Unitarian Universalist Congregations Considering Offering Physical Sanctuary
(This document is a high-level summary, four pages in length, of the longer document of 40+ pages listed above.)
- ACLU- Sanctuary-FAQ, March-2017
(This ACLU resource provides an overview discussion of legal issues surrounding the rights of and potential liabilities of those seeking sanctuary and those providing sanctuary.)
- Interfaith Sanctuary Toolkit - Titled Sanctuary Toolkit, March 2017
(This document is another useful resource, and contains a lot of useful information to inform decisions associated with becoming a Sanctuary congregation, including some detailed descriptions of the physical space required to house someone in sanctuary.)
- Solidarity & Sanctuary: Options for Congregational Action
(UU Publication that provides an overview of the principles that help inform and guide the work of building solidarity.)
- How to Build a Sanctuary Coalition
(Short document that describes how to build sanctuary commitments on a strong foundation, create teams to support, and bring congregations together around common goals.)
- Immigration Rapid Response for Faith Allies
(This document was prepared by the New Sanctuary Movement Philadelphia and serves as a very practical guide for preparing for the possibility that any sanctuary host may be subject to raids by the ICE and how best to prepare for such events.)
- Sanctuary Congregations and Harboring FAQ
(This a publication put out by the ACLU, and while it clearly states that the information contained within it does not constitute legal advice, it does provide some insights into the legal interpretations and implications of becoming a sanctuary congregation.)
- Sanctuary Movement in the Trump Era: New Strategy and Tactics in the Post-Election Reality
(This is a short document that describes why the sanctuary movement is particularly important in the Trump Era.)
- Resources Recommended by Laura Wagner, Executive Director: Unitarian Universalist Mass Action Network
 - <https://www.uua.org/loversists>
(Offers links to helpful documents; e.g., "Solidarity & Sanctuary: Options for Congregational Action")
 - <http://www.uumassaction.org/campaigns/immigration/>