

Interfaith Statement on Immigration Enforcement Guidelines for Humane Laws

We, the undersigned faith-based leaders and organizations, join together to articulate guidelines for the adoption and implementation of humane immigration enforcement laws within the context of comprehensive immigration reform legislation. Effective and humane enforcement of our laws is an important component of any immigration system.

Since the enforcement of our laws impacts the human dignity and human rights of the person, it is incumbent upon the faith community to promote the humane treatment of newcomers and to call attention to practices and proposed laws which may lead to their abuse and suffering.

We acknowledge and support the right of the United States to control its borders and to safeguard the American people from external threats. We also support and uphold the rule of law, because we are a nation of laws. Our immigration laws, however, are seriously flawed and require reform. As a democracy, we should change laws which do not serve the common good.

As Congress considers comprehensive immigration reform, we offer the following guidelines to govern the adoption of enforcement provisions in any legislation:

Any new enforcement measures are best implemented within comprehensive immigration reform. We believe that any new enforcement measures are best applied within the context of comprehensive immigration reform. By creating legal avenues for immigration that meet our economic needs and help reunite families, and by legalizing the undocumented population who pass specific and rigorous security checks, enforcement personnel can more easily identify those who truly threaten our communities and nation: drug and human traffickers, human smugglers, and terrorists.

Enforcement measures should not be overly punitive or undermine due process.

Legislation adopted by the House of Representatives in 2005 included provisions that criminalized undocumented persons and those providing them assistance. Other provisions removed due process protections for immigrants, including permanent residents and other legal immigrants. Such measures do not deter illegal immigration but instead undermine the fairness in our immigration laws.

Border protection should be enhanced but respectful of human rights and human life.

Federal border enforcement personnel play a crucial role in protecting our nation and deserve our respect and support for their commitment to our security. We are grateful for their ongoing efforts to identify and rescue migrants who are in distress. We support more resources for infrastructure and staffing at ports-of-entry, which would help relieve an overburdened system, promote our security, and allow for more expeditious and humane treatment of immigrants. Border enforcement strategies alone are not effective for stemming illegal immigration. Instead of deterring migrants from seeking to cross the border, they may lead to an increase in human smuggling networks and the loss of human life.

Immigrants should not be treated as criminals. We do not believe that the large majority of undocumented immigrants are criminals and should not be treated as such. In cases where immigrants have engaged in criminal activity, they should be dealt with in our criminal justice system in a fair and balanced way. We are concerned with reports that these immigrants are being detained in substandard and crowded conditions, including in “tent cities” or local jails. Individuals who do not present a flight risk or danger should not be detained. Immigrants should not be detained on a mandatory or indefinite basis or without having their “day in court.” Enforcement measures should reflect these goals.

Families and children deserve special care and attention. Efforts should be made to keep families together through release or alternatives to detention, wherever possible. If detention is necessary, a family should be held in a non-penal setting. Children should be protected from dangerous conditions and, if unaccompanied by a parent or guardian, have access to counsel and be placed in the least restrictive setting.

Asylum-seekers and refugees should be afforded protection. Those who come to our shores in need of protection from persecution should be afforded an opportunity to assert their claim to a qualified adjudicator and should not be detained unnecessarily. The expansion of “expedited removal,” a practice that puts *bona fide* refugees and other vulnerable migrants at risk of wrongful deportation, should be halted. At a minimum, strong safeguards, such as those suggested by the U.S. Commission on International Religious Freedom, should be instituted to prevent the return of the persecuted to their persecutors.

As faith-based leaders and organizations, we recognize the need to fix our broken immigration system. We do not support the status quo. Rather, we support an immigration system in which enforcement is joined with legal structures that are responsive to our economy and to the integrity of the family unit. We also support an examination of the root causes of migration and the adoption of policies that give migrants the opportunity to remain at home to work and live in dignity. As a nation, we must continue to uphold the rule of law while seeking to improve it for the common good.

As Congress prepares to debate comprehensive immigration reform, we ask our elected officials to thoughtfully balance the need for national security and respect for the law with the American tradition of preserving basic human rights and dignity. With careful consideration and reasoned discourse, our nation can employ an immigration system which protects national security without sacrificing the ideals upon which America was built—fairness, opportunity, and compassion.

Signatories

Organizations:

American Jewish Committee
Anti-Defamation League
Catholic Legal Immigration Network, Inc.

Church World Service—Immigration and Refugee Program
Episcopal Migration Ministries
Hebrew Immigrant Aid Society
Jewish Community Action, St. Paul, Minnesota
Jubilee Campaign, USA
Lutheran Immigration and Refugee Service
Medical Mission Sisters
Mennonite Central Committee, Washington Office
Metropolitan Council on Jewish Poverty
National Advocacy Center of the Sisters of the Good Shepherd
NETWORK, Catholic Social Justice Lobby
Progressive Jewish Alliance
Unitarian Universalist Church
United Jewish Alliance, New York
United Methodist Church, General Board of Church and Society
United Synagogue of Conservative Judaism
U.S. Conference of Catholic Bishops
World Relief

Individuals:

Joyce Ann Hagan, Assistant for International Ministries
Reverend John D. Whitney, Provincial, Oregon Society of the Society of Jesus
Reverend Jim Michalski, S.J.
Reverend James B. Malley, S.J.
Reverend Jack Zuercher, S.J.
Reverend Francis X. Reese, S.J.
Devon C. Lynch-Huggins
Dr. Rajwant Singh, Sikh Council on Religion and Education