

PROPOSER

Jackson, The Rev. Paula

ENDORSED BY

Russell, Ms. Laura; Lawton, Ms. Sarah

SPONSORED BYPAGE NUMBER(S) FOR REFERENCE

Blue Book: p. N/A; Constitution &amp; Canons: p. N/A

HOUSE OF INITIAL ACTION / LEGISLATIVE COMMITTEE

HD / National and International Concerns

CURRENT FILING STATUS

Filed

REVIEW STATUS (PB&F, CONSTITUTION, CANONS)

None required

RESOLUTION TEXT

- 1 *Resolved*, the House of Bishops concurring, That the 77th General Convention
- 2 call for a halt to the U.S. Immigration and Custom Enforcement's Secure
- 3 Communities program (in which local jurisdictions send fingerprints of detainees
- 4 suspected of immigration violations to federal authorities), which in practice
- 5 leads to lengthy detention at the public expense of unrepresented immigrants
- 6 who have no serious charges pending against them, and effectively discourages
- 7 victims of various crimes, such as domestic violence, from reporting those crimes;
- 8 and be it further
- 9 *Resolved*, That the Episcopal Church decry the use of racial profiling or the use of
- 10 race as a reason to question one's immigration status; and be it further
- 11 Resolved, The Episcopal Church oppose the use of identity checks for the purpose
- 12 of determining immigration status.

EXPLANATION

General Convention has adopted the following resolutions on Comprehensive Immigration Reform:

2009 B006 – Asks the Episcopal Church to continue to advocate for humane, comprehensive immigration reform, to bring an end to poor treatment of immigrants and advocate for a pathway to legalization for immigrant youth who were brought to the United States as young children.

2006 A017 – Asks the Episcopal Church to support the principals of “The Alien Among You”

2003 C028 – Asks the Episcopal Church to support “The Freedom Ride” campaign for immigration reform.

Furthermore, The Episcopal Church has agreed with Humane Immigration Reform which includes the following basic tenets:

- Uphold family unity as a priority of all immigration policies
- Create a process for undocumented immigrants to earn their legal status and eventual citizenship.
- Protect workers and provide efficient channels of entry for new migrant workers.
- Facilitate immigrant integration.
- Restore due process protections and reform detention policies.
- Align the enforcement of immigration laws with humanitarian values.
- Recognize immigration is a matter of human rights.

Secure Communities (S-Comm), unfortunately, does not abide by any of these tenets. It is an initiative of the Immigration and Customs Enforcement (ICE) Division of the Department of Homeland Security (DHS) to obtain fingerprinting information from local police and the FBI. If DHS databases indicate that the person is potentially deportable, both ICE and the local law enforcement authorities are notified. ICE then can decide enforcement action, which may include arrest by ICE, transfer to ICE custody, and initiation of deportation proceedings.

S-Comm is now active in over 1067 jurisdictions and 39 states (ICE, 2011). According to ICE's own statistics, more than a quarter (29%) of people removed as a result of the Secure Communities program nationwide have had no criminal convictions. Moreover, the program's success in targeting higher level offenders has actually decreased over time, in spite of pronouncements from ICE that they prioritize more serious offenses. In 2009, ICE removed 3,744 people under the Secure Communities program with no criminal history. This was 25.9% of the 14,476 total people removed in that period. In 2010, the ratio increased: 27.7% of removals were of individuals without convictions. For 2011, more than 31% of Secure Communities deportations have been individuals with no criminal history. In fact, as the program has grown, the rate of removals of people without criminal convictions relative to other deportations has steadily increased.

S-Comm is leading to fewer arrests, and less reporting of crimes. When an immigrant knows by going to the police they may be at risk for deportation (or deportation of their families), they will stop going to the police. Crime will go unreported, and victims will go unprotected. Criminals will go free.

S-Comm also casts a wide net. Though it claims it will target criminal aliens, statistics show it targets everyone who comes in contact with the police, even if they are not arrested for a serious crime. Plus, as ICE's databases have inaccuracies, so does S-Comm. 5% of ICE "hits" under Secure Communities are actually US citizens.

Finally, there is a hidden cost for local jails and communities. More defendants will be in jails longer, waiting for ICE. This additional jail time will be paid by the county or town holding the detainee.

Of course, in its basic sense, the idea that high level offenders will be taken off the streets of America and returned to their home countries, where they may or may not face any repercussions, has great appeal to some. But at what cost? Should immigrants fear the police, refuse to cooperate in criminal investigations, and go further underground in an effort to stay in the USA. We say no. We should reject programs such as Secure Communities and continue to look for a more humane reform of our broken immigration system.

The meeting of the House of Bishops in September of 2010 called for immigration reform. General Convention has called for immigration reform, and most of our Dioceses have called for immigration reform. We have all called for a more humane approach to immigration. Unfortunately, Secure Communities is not such an approach.

Furthermore, programs such as Secure Communities lead to continued racial profiling. Secure Communities, and such measures of questioning anyone they believe does not have immigration status, as some states have passed, have led to an increasingly hostile environment for legal immigrants, and Latino citizens. These measures, which tell law enforcement to inquire of the immigration status of anyone they deem "reasonably suspect" of being in the United States without legal documentation cause law enforcement to question anyone who they feel does not look "American". This has led to increased scrutiny by law enforcement of Latinos, and other ethnic groups. It has led to a fear among Latino citizens of being deported, regardless of the fact they are US citizens.

State based programs must be halted. Immigration has and will continue to be under the purview of federal authorities. Regardless of the actions of the federal government, we can not continue to enable states to enact immigration based statutes.