



Diocese of Newark

The Episcopal Church in Northern New Jersey

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Immigration Guidelines for Congregations

The recent Executive Orders issued have had an immediate impact on immigrant communities and their congregations. In order to care for those in our congregations, it is vital for us to be familiar with and ready to respond to a changing and emotionally charged environment.

The following are basic guidelines to help you get organized, along with resources that can assist you with legal questions and advice. These guidelines do not constitute legal advice, but rather serve as a framework for organizing our responses and preparation to support our congregations.

1. Know the Law

- **Immigrant Rights:** Remind congregants and staff that immigrants have rights, even if they are undocumented. For example, they have the right to remain silent, the right to refuse entry to ICE without a warrant, and the right to have an attorney present.
- **Warrant Requirement:** ICE must have a valid judicial warrant to enter private property (including churches – though some indicate that churches are considered public property when conducting worship). A warrant signed by a judge (not just an administrative warrant) is needed to legally detain someone on church property.
- **Church as a Sanctuary:** While churches are not legally immune from ICE enforcement, they are often informally seen as "sanctuaries" or "safe havens." Many churches historically offered sanctuary to people seeking protection from deportation, and congregations may want to establish formal policies around offering shelter in emergencies. Protection from immigration enforcement for churches has now been rescinded. Know the law regarding public and non-public spaces in church buildings.

2. Train Leadership and Volunteers

- **Create a Response Plan:** Churches should train clergy, staff, and key volunteers on how to respond in case of an ICE raid or detainment situation. This includes knowing what to do if ICE arrives, how to document the event, and how to protect legal rights for individuals.
- **Clear Communication:** Ensure that staff members know what to say and what not to say to ICE officers. For example, if ICE comes in, staff can calmly ask to see a warrant and inform officers that the premises are private property.

3. Document the Situation

- **Video Evidence:** If safe, churches should document ICE activity. This includes video recording and taking photos of any ICE officers attempting to detain or arrest individuals. Ensure that everyone understands that video evidence can help protect both immigrants' rights and the reputation of the church in these situations.

- **Maintain Records:** Churches should document interactions with law enforcement, including dates, times, names, badge numbers, and the details of the incident. This could be important if there are legal proceedings or community support efforts afterward.

4. Provide Legal Support

- **Know Local Resources:** Churches can connect with local immigration lawyers or legal organizations that provide free or low-cost legal counsel. Providing information about what legal steps can be taken if someone is detained is crucial.
- **Post-Arrest Support:** If someone is detained, the church can be instrumental in mobilizing resources for their legal defense or supporting their family through the process.

5. Offer Emotional and Spiritual Support

- **Spiritual Support:** The church can be a source of emotional and spiritual support for both the immigrant families and the broader congregation during such a traumatic event.
- **Safety Plans for Families:** Churches can create action plans for families in the congregation, especially those at risk of deportation. This may include providing counsel on how to create a family safety plan, identify emergency contacts, and gather important documents.

6. Community Advocacy

- **Solidarity and Public Advocacy:** Churches can stand in solidarity with immigrant communities by holding public vigils, writing letters to local lawmakers, and advocating for more compassionate immigration policies. Encouraging public support helps send a clear message to authorities about the church's stance.
- **Partner with Immigrant Rights Groups:** Churches can collaborate with immigrant rights organizations to amplify their voices and advocate for local and national change in immigration policies.

7. Know the Risks

- Churches should understand that while sanctuary is a morally powerful stance, it may carry legal risks. It's crucial to balance compassion with a pragmatic understanding of potential legal ramifications, especially if ICE decides to take enforcement action against church leadership.

Lastly, the church should always approach these situations with compassion and commitment to justice, helping to protect the dignity and rights of all people, especially those most vulnerable.

Immigration Support Organizations

In New Jersey, several organizations provide 24-hour legal support for individuals detained by ICE. Here are some key resources:

1. **American Friends Service Committee (AFSC) - Immigrant Rights Program:** AFSC provides advocacy and support for detained immigrants. They may assist with legal aid, especially in emergency situations.

Website: [AFSC Immigrant Rights](https://afsc.org/issue/migration-immigrant-rights) (<https://afsc.org/issue/migration-immigrant-rights>)

2. **New Jersey Alliance for Immigrant Justice (NJAIJ):** This organization works to protect the rights of immigrants in New Jersey. They can often connect people to legal support and resources in case of ICE detention.

Website: [NJAIJ](https://www.njimmigrantjustice.org/) (<https://www.njimmigrantjustice.org/>)

[Downloadable Know Your Rights cards](https://www.njimmigrantjustice.org/know_your_rights_cards)

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3. **Seton Hall Law School - Center for Social Justice (CSJ):** Seton Hall offers legal services and has a program dedicated to supporting immigrants, including those facing detention by ICE. Their students and staff may provide help, especially in emergencies.

Website: [Seton Hall CSJ](https://law.shu.edu/center-social-justice/) (<https://law.shu.edu/center-social-justice/>)

4. **The National Immigration Law Center (NILC):** Although a national organization, NILC provides resources, including legal assistance in cases of ICE detention, and can connect individuals with pro bono or legal aid in New Jersey. Provides instructions for employers.

Website: [NILC](https://www.nilc.org/) (<https://www.nilc.org/>)

5. **Immigrant Legal Resource Center (ILRC):** While based on the West Coast, the ILRC is a helpful resource for understanding legal rights, and they can direct you to legal aid specific to New Jersey for those detained by ICE.

Website: [ILRC](https://www.ilrc.org/) (<https://www.ilrc.org/>)

6. **Legal Services of New Jersey - Immigration Representation Project:** This New Jersey-based legal services provider offers legal support for detained immigrants and other resources. (732) 572-9100, ext. 8782

Website: [LSNJLAW](https://lsnjlawhotline.org) (<https://lsnjlawhotline.org>)

7. **Make the Road New Jersey:** Phone (973) 559-6551 (For immediate legal assistance)

Website: [Make the Road New Jersey](https://maketheroadnj.org/) (<https://maketheroadnj.org/>)

Additional Resources

- [Episcopal Migration Ministries](https://episcopalmigrationministries.org/) (https://episcopalmigrationministries.org/)
- [The Episcopal Church's Office of Government Relations](https://www.episcopalchurch.org/ministries/office-government-relations/)
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- Joint Information session led by Episcopal Migration Ministries and Office of Government Relations. Every Tuesday in February from 1:00 – 1:30. Excellent source of updated information. [Register here](https://zoom.us/meeting/register/tJMlfu6qqjIpHdav-xm_G83OMLdkNV7YKZas#/registration). (https://zoom.us/meeting/register/tJMlfu6qqjIpHdav-xm_G83OMLdkNV7YKZas#/registration)
- [ICE Online Detainee Locator System](https://locator.ice.gov/odls/#/search) (https://locator.ice.gov/odls/#/search)
- [State of New Jersey – Office of New Americans](https://www.nj.gov/humanservices/njnewamericans/)
(https://www.nj.gov/humanservices/njnewamericans/)
 - [Know Your Rights page](https://www.nj.gov/humanservices/njnewamericans/newcomers/rights/)
(https://www.nj.gov/humanservices/njnewamericans/newcomers/rights/)