# Immigration Reform Update and Call to Action 2015

When the Senate passed **S. 744**: ***Border Security, Economic Opportunity, and Immigration Modernization Act of 2013***, with a two thirds bi-partisan majority support, many believed Congress would pass a comprehensive immigration reform bill.

This compromise bill included a number of border security measures as well as a path to citizenship for the majority of the 11 million undocumented immigrants in the U.S. It received widespread support from diverse communities, including religious leaders, businesses, unions and law enforcement.

A year later, many were hopeful that S. 744 would come up for a vote in the House of Representatives, where a bi-partisan majority was ready to approve the bill. Unfortunately, Majority Leader John Boehner prevented the bill from moving forward, and it expired on the last day of the 113th Congress.

Meanwhile, President Obama's recent Immigration Accountability Executive Action (November 20, 2014) that extended some protections for undocumented immigrants, youth and parents of U.S. citizens or legal permanent resident children, has not been implemented due to a federal court temporary injunction. July 2016 is now the earliest the federal government might be able to implement the executive order.

Under the 114th Congress, so far there have been no bills introduced addressing comprehensive immigration reform. Instead, the focus has turned to interior enforcement and further criminalization of the undocumented immigrant community. Any concerted effort to pass comprehensive immigration reform is probably unlikely until after the 2016 election. Meanwhile, it is important to prevent anti-immigrant legislation from moving forward.

## CALL TO ACTION:

Tell Congress to Reject Legislation that would Force Police to Target Undocumented Immigrants and Further Criminalize many in Community.

The House of Representatives recently passed **H.R. 3009**, The Enforce the Law for Sanctuary Cities Act in July 2015. This legislation mandates local and state police to serve as de-facto immigration enforcement officers. A similar bill–**S. 1814** ***Stop Sanctuary Cities Act***–has been introduced in the Senate. If enacted, these policies would inhibit the law enforcement community from using discretion when serving heavily immigrant communities. Victims of crimes and witnesses who are undocumented, or live in a community with undocumented immigrants, would be intimidated from calling the police.

Contact your Senators to urge them to oppose **H.R. 3009** and **S. 1814** and any similar legislation that would force local police to serve as immigration enforcement officers.

**Take Action on the IPJC Website:** www.ipjc.org

**Or, call the Capitol Switchboard:** 202-224-3121 and ask for your Senator's office.

The Enforce the Law for Sanctuary Cities Act and similar legislation is a concern because it criminalizes undocumented immigrants. Instead, we need Comprehensive Immigration Reform that includes

- A path to citizenship that is affordable and accessible for undocumented immigrants and their families.
- An immigration system that enhances family unity.
- A viable and robust program for low-skilled workers to enter and work legally with appropriate worker protections.
- Due process protections, including alternatives to detention, should be restored to the system.
- The root causes of migration should be addressed.

*Solidarity with migrants and refugees must be accompanied by the courage and creativity necessary to develop…a more just and equitable financial and economic order, as well as an increasing commitment to peace…*

—Pope Francis, September 2014

*In the summer of 2015, several immigration bills were introduced in reaction to a murder of a young woman by an undocumented immigrant. **

*The chart below summarizes each bill, and compares it to the US Conference of Catholic Bishops position on immigration reform.*

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| **Kate's Law**<br>**H.R. 3011** | **Bill Summary:**<br>▪ This bill amends the Immigration and Nationality Act to increase penalties applicable to undocumented immigrants who unlawfully reenter the United States after being deported or denied entry, would face a five-year mandatory minimum sentence.<br>▪ Potentially millions of individuals would be incarcerated under this policy for their attempts to reunite with their families.<br>▪ The companion bill in the Senate is the Establishing Mandatory Minimums for Illegal Reentry Act of 2015 (S. 1762). | **Does the Kate's Law Fit the USCCB Position on Immigration Enforcement and Due Process?**<br>**Yes** **(No)**<br>USCCB Position: "Detention should not be used to deter illegal immigration or refugee-like flows, or as a means to evade U.S. sovereign responsibilities to protect those who have fled persecution. Its use should turn exclusively on an individualized determination of flight risk and danger. Mandatory detention should be eliminated in virtually all cases, with the exception of a category of cases involving potential danger to the public and threats to national security." (Unlocking Human Dignity: A Plan to Transform the U.S. Immigrant Detention System, 2015) |
| **The Enforce the Law for Sanctuary Cities Act**<br>**H.R. 3009**<br><br>**Stop Sanctuary Cities Act**<br>**S. 1814** | **Bill Summary:**<br>▪ These bills amend the Immigration and Nationality Act to make state and local governments ineligible for some federal funding if it has a policy that would punish or prohibit law enforcement from asking for proof of an individual's citizenship or immigration status.<br>▪ It would require local and state law enforcement collaborate with Immigration and Customs Enforcement to deport undocumented immigrants.<br>▪ If enacted, the law would reverse years of community policing efforts, fostering a distrust of local law enforcement, increase the probability of racial profiling and discourage the reporting of criminal activity in heavily immigrant communities. | **Does the Enforce the Law for Sanctuary Cities Act and the Stop Sanctuary Cities Act Fit the USCCB Position on Enforcement and Due Process?**<br>**Yes** **(No)**<br>USCCB Position: The Bishops oppose any legislation that "would permit state and local law enforcement officers, untrained in federal immigration law, to issue an immigration hold and detain an individual indefinitely. We fear that such a regime would result in prolonged detention for U.S. citizens and lawfully residing residents. Such an unprecedented transfer of authority could lead to civil rights abuses and discrimination against immigrants and legal permanent residents and U.S. citizens." (Most Reverend Gerald F. Kicanas Testimony before the House Subcommittee Immigration and Border Security, 2015)<br><br>USCCB Position: "Alarmingly, migrants often are treated as criminals by civil enforcement authorities. Misperceptions and xenophobic and racist attitudes in both the United States and Mexico contribute to an atmosphere in which undocumented persons are discriminated against and abused." (Strangers No Longer Together On The Journey Of Hope, 2003) |
| **The success of Operation Streamline and the importance of prosecuting first time illegal border crossers.**<br>**S. Res. 104** | **Resolution Summary:**<br>▪ Operation Streamline is an initiative that began in 2005 by the Department of Homeland Security (DHS) and Department of Justice (DOJ) to target, criminally prosecute, and sometimes jail first-time unauthorized entrants. This was a departure from previous law, where immigration violations were handled as purely civil offenses<br>▪ Under this policy, undocumented immigrants are brought before an immigration judge in large groups and prosecuted together. They are afforded little to no due process.<br>▪ Undocumented immigrants that do not speak Spanish often do not understand what they are agreeing to when prosecuted through the Operation Streamline system. | **Does the Operation Streamline and the importance of prosecuting first time illegal border crossers Fit the USCCB Position on Enforcement and Due Process?**<br>**Yes** **(No)**<br>USCCB Position: The Bishops "strongly opposed the criminalization of U.S. immigration law and called for the termination of Operation Streamline. Prosecutions for illegal entry fell in the first six months of FY 2014 (AP 2014; TRAC 2014c) while prosecutions for illegal re-entry increased." (Unlocking Human Dignity: A Plan to Transform the U.S. Immigrant Detention System, 2015) |

* On July 1, 2015 Kathryn Steinle was randomly fatally shot in San Francisco-a "sanctuary city"- by an undocumented immigrant with a criminal and deportation history.

# Resources for Action on Immigration Reform

## Websites:

Intercommunity Peace and Justice Center Resource Page, www.ipjc.org/links/immigration.htm

Justice for Immigrants: The Catholic Campaign for Immigration Reform, www.justiceforimmigrants.org

Archdiocese of Chicago Immigration Resources, www.archchicago.org/immigration/

Interfaith Immigration Coalition, www.interfaithimmigration.org

American Immigration Council, www.immigrationpolicy.org

Migration Policy Institute, www.migrationinformation.org

National Immigration Law Center, www.NILC.org

National Conference of State Legislatures Immigrant Policy Project, www.ncsl.org

Network: A National Catholic Social Justice Lobby, www.networklobby.org

Reform Immigration For America, www.reformimmigrationforamerica.org

U.S. Citizenship and Immigration Services, www.uscis.gov/portal/site/uscis

U.S. Conference of Catholic Bishops Migration and Refugee Services, www.nccbuscc.org/mrs

U.S. Immigration and Customs Enforcement, www.ice.gov

## Films & Documentaries (most DVDs available for loan from IPJC):

*Dream Is Now*—30 minute documentary about undocumented youth http://www.youtube.com/watch?v=zfiInvpjPtI

*De Nadie*—The story of a Central American immigrant's difficult journey to the United States in search of a better life, 80 minutes.

*Dying to Live: A Migrant's Journey*—Explores the places of conflict, pain and hope along the US-Mexico border, 33 minutes.

*Lives for Sale*—A joint production between Maryknoll, Lightfoot Films, Inc., and PBS, 60 minutes.

*The Least of These: Family Detention in America*—A documentary film by Clark and Jesse Lyda, 62 minutes.

*The Other side of Immigration*—Based on 700 interviews in Mexican towns about the roots of immigration, 55 minutes.

*Lost in Detention* - Investigate's the Obama Administration's immigration enforcement strategies and journeys into the secretive world of immigrant detention, 60 minutes.

Sin Pais - A documentary which follows the story of the family in California as they are separated by deportation, 20 minutes.

## Print Materials


Gerschutz Bell, Jill Marie. "The Church's Call for Immigration Reform," *A Matter of Spirit,* No. 93, 2012, www.ipjc.org

Heyer, Kristen. *Reframing Immigration Reform in Light of Catholic Social Teaching*, www.catholicsinalliance.org

Interfaith Worker Justice. *For You Were Once a Stranger: Immigration in the U.S. Through the Lens of Faith*, 2007.

Justice for Immigrants. *Enriching Our Diversity. A Parish Outreach, Education and Organizing Manual,* 2012.

Seattle University School of Law. *Voices From Detention: A Report on Human Rights Violations at the Northwest Detention Center,* Tacoma, WA, 2008.

United Nations. *International Convention of the Protection of the Rights of All Migrant Workers and Members of Their Families*, 1990.

U.S. Bishops. *On "Strangers No Longer;" Perspectives on the historic U.S.-Mexican Catholic Bishops Pastoral Letter on Migration*, 2013.

U.S. Bishops Pastoral Letter. *Strangers No Longer: Together on the Journey of Hope*, 2003.

U.S. Bishops Pastoral Letter. *Welcoming the Strangers Among Us: Unity in Diversity,* 2000.