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Immigration conference deals with the tough questions

Zoe Ryan | Jan. 19, 2012
Immigration and the Church

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Seth Grossman, left, chief of staff for the DHS Office of General Counsel, and John Sandweg, center, special counselor to DHS Secretary Janet Napolitano, answer questions from conference participants Jan. 13 at the immigration conference in Salt Lake City. Looking on is moderator Kevin Appleby, director of the Office of Migration and Refugee Policy Department of Migration and Refugee Services for the bishops' conference.

SALT LAKE CITY -- Putting the cart in front of the horse is one way to describe the federal government's pursuing immigration enforcement before immigration reform, according to participants at a recent conference here.

The three-day gathering was convened in Salt Lake City by the U.S. Conference of Catholic Bishops and its Migration and Refugee Services, and the Catholic Legal Immigration Network Inc. (CLINIC).

The aim of the conference was to inform those working in the immigration sector of current law and policy at state and federal levels as well as to equip them with the strategies needed to help the immigrants they serve and help move the immigration reform debate to the forefront of the national political discussion.

Attendees came with questions and concerns about current enforcement policies in their states, as well as clarification questions as to how these policies, such as Secure Communities, work. They had a chance to network with others involved with this issue in the church.

"We don't have any problems with the 'rule of law' and that [the Department of Homeland Security] has to enforce the law," said Kevin Appleby, sharing with attendees some of the interests and concerns of the U.S. bishops and CLINIC. Appleby is the director of the Office of Migration Policy and Public Affairs at the bishops' Migration and Refugee Services.

"But we have concerns with the fact that there are immigrants who have been here for years, that they built equities in our country, they have contributed, they have U.S. citizen children, and that they should be given consideration as priorities of the department," he continued before introducing the question-and-answer session with Homeland Security representatives.

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The conference title, "Immigration: A 50-State Issue," reflects the atmosphere in the country. As the federal government fails to enact comprehensive immigration reform, more and more states are enacting laws of their own to regulate immigration. Arizona was the first to pass a controversial enforcement bill in 2010, requiring local law enforcement to enforce federal immigration laws, among other things. Although it is being

challenged in court, other states have used the Arizona law as a model for their own.

"A lot will be determined this year, certainly with the national election both in Congress and [for the president]," Appleby told *NCR*. "And then what the Supreme Court says about the Arizona law will set the direction for the debate, because if they uphold that law, it means other states have the green light to move ahead. ... If they strike down most of it, then it cleans the slate, takes some momentum out of the state initiatives, and redirects the attention to Congress."

The topics of Secure Communities, prosecutorial discretion, privatized detention centers and deportations attracted debate and questions from the attendees and speakers at the Jan. 11-13 conference. Comments abounded over President Barack Obama not sticking to his immigration promises, but more spoke of Congress' ineptness and lack of effort on the issue.

Speakers came from the Department of Homeland Security, the Center for Migration Studies in New York, the Washington, D.C.-based CLINIC, the National Immigration Law Center in Los Angeles, and other immigration offices, as well as directors from Catholic conferences, Catholic Charities and diocesan offices.

Donald Kerwin, director for the Center for Migration Studies and former executive director of CLINIC, told conference attendees that the "rule of law" is an aspirational standard.

"I'll tell you one thing it doesn't mean: It doesn't mean that the law can't change. ... It doesn't mean just law and order, or rigorous enforcement of the law, no matter what the law is," he said. "That's 'rule by law,' that's what that is. ... And there's rule by law in every repressive country in the world."

He continued: "The U.S. immigration system, while strong and while just in many respects, likewise fails to meet this standard in important ways. ... Congress wants to restore the rule of law through enforcement alone. It can't be done. ... The bishops and you all want to restore the law by also reforming the legal immigration system and by legalizing deserving U.S. residents. That can be done."

A common criticism from the conference was the decision for the federal government to pursue enforcement before reform, which is not fixing the problem, many said.

Laura Olson of Homeland Security's Office of Civil Rights and Civil Liberties described what the office does and went further into Secure Communities, laying out some of the office's work in that area, including awareness briefings and reviewing complaints of rights violations. Secure Communities is a federal program that allows the FBI and Immigration and Customs Enforcement to share fingerprint information obtained from local authorities to check the immigration status of those arrested for criminal offenses and booked in jail.

Concerns about Secure Communities arise because, for one reason people noted, immigrants tend not to report crimes they witness or are victims of for fear of being deported, even if they themselves have not committed a criminal offense. Olson encouraged conference attendees to contact her with concerns.

Government representatives, such as John Sandweg, special counselor to Homeland Security Secretary Janet Napolitano, answered questions and concerns from people on government programs, as well as describing the current progress the administration is working on regarding immigration.

Salt Lake City Bishop John C. Wester gave the keynote address Wednesday night after Mass to kick off the conference. Wester, a former chairman of the Committee on Migration at the bishops' conference, signed the Utah Compact, a letter drafted by business, civic and religious leaders, including Wester, stating principles to guide comprehensive immigration reform. One principle is that immigration is a federal issue, not a state one, so the federal government needs to take action.

"It is clear that Congress will not act on this issue unless a strong national consensus emerges, where the majority of Americans agree on a path forward and communicate that to their federal, elected officials," Wester said in the keynote. "The only way that will happen is if the American people are educated on the issues and the realities of immigration, and that can only occur if the issue is right in front of them, being debated in their local communities."

Some 250 people -- a mix of state Catholic conference directors, Hispanic ministry directors, Catholic Charities immigration attorneys, leaders of the Mormon church and others -- attended the conference.

Apolonio Morales from Berkeley Organizing Congregations for Action, which works with the Oakland, Calif., diocese and the bishops' Justice for Immigrants campaign, told NCR the strategies from the workshops and presentations would aid his work.

The strategies, he said, were "tangible things to bring back home in an environment that seems really, really difficult. These conversations are hard, but they're necessary. It's what we're called to do." Berkeley Organizing Congregations for Action is part of the faith-based community-organizing network PICO.

"What was very helpful was being introduced to the Utah Compact and also hearing what was going on in Iowa," said Fr. Shawn O'Neal, contact person for the Justice for Immigrants campaign in the Charlotte, N.C., diocese.

Business, law enforcement and religious leaders in Iowa recently drafted a compact similar to Utah's.

About the Utah Compact, O'Neal said, "It's a good model for many other states to have. I mention this because I'm from North Carolina and we have legislation which will be considered over the next couple of months."

In 2011, more than 1,600 bills and resolutions addressing immigration and refugees were introduced, and as of early December, 197 laws were enacted, 109 new resolutions were adopted, and 15 bills were vetoed, according to the National Conference of State Legislatures website. In 2005 there were 300 bills introduced, 39 laws enacted and six vetoed.

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