

The Effects of Immigration Enforcement on Faith-Based Organizations: An Analysis of the FEER Survey

Journal on Migration and Human Security
2019, Vol. 7(2) 42-51
© The Author(s) 2019
Article reuse guidelines:
sagepub.com/journals-permissions
DOI: 10.1177/2331502419854103
journals.sagepub.com/home/mhs



Donald Kerwin
Mike Nicholson

Center for Migration Studies

Executive Summary

The effects of US immigration enforcement policies on immigrants, US families, and communities have been well documented. Less attention, however, has been paid to their impact on faith-based organizations (FBOs). Faith communities provide a spiritual home, and extensive legal, resettlement, social, health, and educational services, for refugees and immigrants. This report presents the findings of the FEER (Federal Enforcement Effect Research) Survey, which explored the effects of US immigration enforcement policies on immigrant-serving Catholic institutions.¹ Many of these institutions arose in response to the needs of previous generations of immigrants and their children (Kerwin and George 2014, 14, 74–75). Most strongly identify with immigrants and have long served as crucial intermediaries between immigrant communities and the broader society (Campos 2014, 149–51).²

During its first two years, the Trump administration has consistently characterized immigrants as criminals, security risks, and an economic burden. Among its policy initiatives, the administration has supported major cuts in family-based immigration, attempted to terminate the Deferred Action for Childhood Arrivals (DACA) program, reduced refugee admissions to historic lows, instituted admission bars on Muslim-majority countries, attempted to strip Temporary Protection Status (TPS) from all but a fraction of its beneficiaries, erected major new barriers to asylum, and proposed new rules regarding the public charge grounds of inadmissibility that would make it more difficult for poor and working-class persons to obtain permanent residence.

US immigration enforcement policies have separated children from their parents, criminally prosecuted asylum seekers, expanded detention, increased arrests of noncitizens without criminal records, and militarized the US–Mexico border. These policies have failed to stem the flow of migrants and asylum seekers: instead, these flows have increased dramatically in recent months. These policies have succeeded, however, in devastating children, instilling fear in immigrant communities, blocking access to the US asylum system, and undermining immigrant integration (Kerwin 2018).³

The Federal Enforcement Effect Research (FEER) Survey points to a paradox. On one hand, US enforcement policies have increased the demand for services such as legal screening, representation, naturalization, assistance to unaccompanied minors, and support to the US families of detainees and deportees. Many Catholic institutions have expanded their services to accommodate the increased demand for their services. On the other hand, their work with immigrants has been impeded by federal immigration policies that effectively prevent immigrants from driving, attending gatherings, applying for benefits, and accessing services due to fear that these activities might lead to their deportation or the deportation of a family member.

¹The report uses the word “service” to describe the work of Catholic institutions, but this does not imply a one-way relationship characterized by “doing for” immigrants. Rather, these entities work “with, by, and for” immigrants, and recognize immigrant agency and leadership as essential to their success.

²In the early twentieth century, “pluralist” theorists like the Anglican priest John Figgis argued that human development occurred through self-governing, intermediary institutions like families, churches, and labor unions (Figgis 1913, 48–49). According to the pluralists, civil society “small associations” could only perform this role if they could operate free from state control.

³The administration has frequently stressed its preference for highly skilled immigrants, but it has imposed new burdens on even on these would-be immigrants (Lohr 2018).

Corresponding Author:

Donald Kerwin, Center for Migration Studies, 307 East 60th Street, New York City, NY 10022, USA.

Email: dkerwin@cmsny.org

Among other top-line findings, 59 percent of 133 FEER respondents reported that “fear of apprehension or deportation” negatively affected immigrants’ access to their services, and 57 percent of 127 respondents reported that immigrant enforcement very negatively or negatively affected the participation of immigrants in their programs and ministries.

Keywords

immigration enforcement, faith-based organizations, religious liberty

The FEER Survey

Profile of Respondents

This report is based on survey responses from 170 Catholic entities located in 38 states and the District of Columbia, with the largest numbers from California, Texas, New York, Ohio, and Florida (Figure 1).

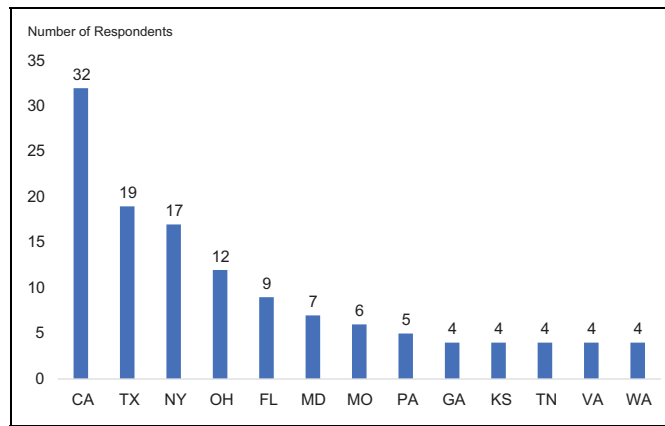


Figure 1. Number of Respondents by State, Top States.

Respondents included Catholic Charities/Social Services organizations (58), parishes (35), legal services programs (17), refugee resettlement programs (13), ministerial organizations (10), and lesser numbers of religious orders, universities and colleges, organizing entities, diocesan offices, schools, hospitals and health clinics, seminaries and formation houses, pastoral institutes, and foundations (Figure 2).

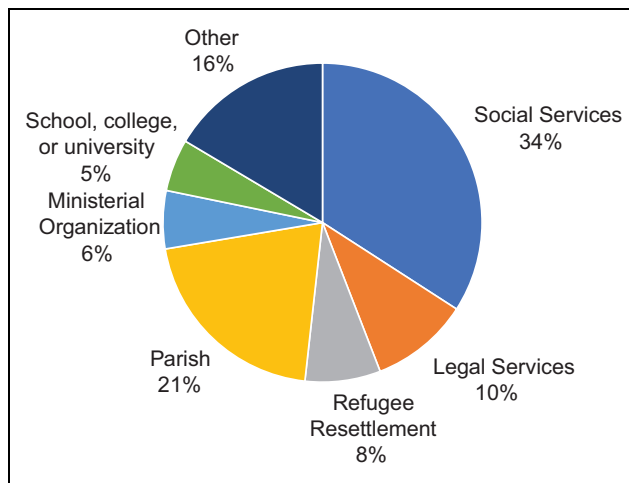


Figure 2. Type of Institution, Program, or Ministry.

The study’s findings cover all respondents except schools, universities, and hospitals, which received separate questionnaires and produced too few responses for analysis. The findings reflect the share of respondents answering each question, rather than of total respondents to the survey. The report excludes duplicate responses, responses from entities outside the United States, and responses that identified only the name and location of respondents. All responses were recorded between January 7 and February 22, 2019. The pool of respondents represents only a fraction of Catholic institutions⁴ but nonetheless offers a window on the effect of Trump-era immigration policies on diverse FBOs.

When asked to identify the top five countries of origin of the immigrants they served, respondents listed 52 countries, including Mexico (133), Guatemala (117), El Salvador (110), Honduras (91), the Dominican Republic (24), Venezuela (22), Colombia (26), Cuba (21), the Philippines (21), Haiti (17), and Ecuador (14).

Catholic institutions have ambitious social goals. They seek to promote justice; “integral human development,” which encompasses social, political, economic, spiritual, cultural, and other human needs; and the “common good,” defined as the sum total of conditions that allow human beings “relatively thorough and ready access to their own fulfillment” (Paul VI 1965, 26). Consistent with this broad mandate, Catholic institutions provide extensive and varied services to immigrants and refugees (Figure 3), such as:

- “Know your rights” presentations (86 agencies);
- Legal services (79);
- Interpretation and translation assistance (69);
- Food pantry (69);
- Naturalization (66);
- Accompaniment to immigration appointments and hearings (65);
- Language and English as a Second Language (ESL) classes (65);
- Pastoral counseling (48);
- Health screenings and education (43);
- Political advocacy (41);
- Religious education (41);
- Housing services (36);
- Job training (36);
- Emergency and long-term shelter (35);
- Youth or young adult ministry (30);
- Thrift store and clothes pantry (26);
- GED preparation (21);
- Sanctuary services (9); and
- Other (44).

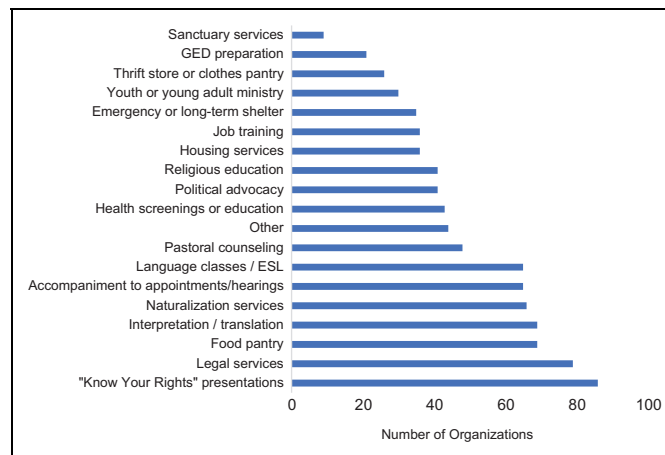


Figure 3. Type of Services Provided.

⁴In 2017, for example, there were 17,156 parishes in the United States and 5,178 Catholic elementary schools (CARA 2019).

Catholic Charities/Social Service respondents offered the great majority of these services, with the exception of religious education and youth and adult ministry. The 12 refugee resettlement respondents provided services that are central to the resettlement process like job training (12), health screenings (8), and language classes (8), as well as legal services (7), naturalization assistance (6), and know-your-rights presentations (3).

Catholic parishes offer religious education, formation, sacraments, prayer groups, and pastoral counseling within a particular geographic area, entrusted to a parish priest (pastor). In theological terms, parishes seek to build “communion” between their (often) culturally diverse members (Hoover 2014, 198–202). One challenge for “shared” parishes is to overcome “cultural encapsulation,” that is, different communities of parishioners seeing each other solely from their own cultural perspectives (*ibid.*, 106).

Parishes also serve as a vital source of social, health, educational, and even legal services. Thirty-four parish respondents reported providing immigrants and their families:

- Religious education (29 parishes);
- Prayer groups (26);
- Masses (24) and sacraments (22) in multiple languages;
- Pastoral counseling (21);
- Youth or young adult ministry (21);
- Religious education in multiple languages, including Rite of Christian Initiation of Adults (RCIA) (19);
- Food pantry services (14);
- Hosting of Spanish or other foreign language apostolic movements (14);
- Community outreach (14);
- Know-your-rights presentations (12);
- Language and ESL classes (10);
- Cultural programming or cultural exchange activities (10);
- Community organizing (8);
- Political advocacy (7);
- Accompaniment to immigration appointments or hearings (6);
- Health screenings or education (6);
- Naturalization services (7);
- Voter registration (6);
- Interpretation and translation (5);
- Sanctuary services (4);
- Emergency or long-term shelter (4);
- GED preparation (3);
- Legal services (3);
- Thrift store or clothes pantry (3);
- Housing services (2);
- Job training (2); and
- Other (3), including prison ministry, farmworker ministry, and power of attorney and notarization services.

Past studies have pointed to the disparity between the ratios of immigrants who participate in Catholic programs and ministries and those in paid and leadership positions (Hoover and Ospino 2016, 41–42; Kerwin and Barron 2017, 13, 33).⁵ This report found a similar disparity. Fifty-eight percent of 139 respondents reported that immigrants constitute less than 25 percent of their agency’s leadership, but 49.6 percent of 135 respondents reported that immigrants represent 75 percent or more of the persons using their services.⁶ Only 9.4 percent of respondents reported that immigrants constitute 75 percent or more of their agency’s leadership; 14.8 percent that immigrants comprise 75 percent or more of their program leadership; 19.1 percent that immigrants represent 75 percent or more of paid staff; and 20.3 percent that they constitute 75 percent or more of volunteers. These percentages vary for different types of institutions and programs, and the overall number of respondents varies by category.

⁵The paper uses the term “leader” expansively to refer to persons in the Catholic hierarchy, religious communities, and in the church’s many institutions, programs, and ministries.

⁶The survey defined “agency leadership” for churches as “clergy” and users of church services as “registered parishioners,” although immigrants tend to register at low rates.

Demand for and Impediments to Service

The FEER Survey demonstrates the resilience and flexibility of many Catholic institutions in response to the increased demand for their services. Most respondents reported increased use of their services by immigrants since the beginning of the Trump administration in January 2017. Looking at all respondents — excluding parishes, hospitals, and schools⁷ — 40 percent reported that participation had increased a lot, 20 percent that it had increased a little, 14 percent it had stayed about the same, 11 percent had decreased a little, 7 percent had decreased, and 7 percent did not know.

Refugee resettlement agencies, which have experienced sharp decreases in refugee admissions and depend heavily on federal funding, reported decreased participation in their programs. While many local resettlement agencies have diversified their services and have drawn more heavily on parish-based resources, overall the work of this network has contracted. Among parishes, 16 percent reported that immigrants' mass attendance had increased a lot since the beginning of the Trump administration, 19.4 percent reported that it had increased a little, 32.3 percent that it had stayed about the same, 3.2 percent that it had decreased a little, 6.4 percent reported a sharper decrease, and 22.6 percent did not know.

Survey participants were also asked: "Which of the following factors, if any, do you judge to have negatively impacted immigrants' access to your services in the past year?" These factors included a mix of practical, cultural, and logistical barriers; government policies; lack of status; and community attitudes.⁸ In particular, 133 respondents identified:

- Fear of apprehension or deportation (59 percent);
- Lack of awareness about the availability of services (54 percent);
- Transportation problems (46 percent);
- Limited English proficiency (33 percent);
- Lack of legal status (35 percent);
- Hostility, prejudice, or indifference from the broader community (23 percent);
- Cultural barriers (23 percent);
- Hostility, prejudice, or indifference from the Catholic community (10 percent);
- Limited cell phone or internet access (7 percent); and
- Other (19 percent).

Among the "other" factors that negatively affect access to services, respondents listed a range of institutional challenges and government policies, including:

- Lack of funding and capacity;
- Diminished resettlement of refugees;
- The Trump administration's ban on admission of persons from (mostly) Muslim-majority countries;
- The chilling effect of proposed regulatory changes to the public charge ground of inadmissibility (Kerwin, Warren, and Nicholson 2018);
- Lack of leadership opportunities for immigrants in Catholic institutions;
- Lack of interest in church-related events among young immigrant men;
- Unfamiliarity with parish registration procedures;
- The failure of Catholic institutions and leaders to cast immigration as a pro-life issue; and
- Local police enforcement of immigration laws.

Not surprisingly given the drastic cuts in refugee admissions, resettlement programs identified limited funding as one of their greatest obstacles.

Thirty-one parish respondents identified limited English proficiency (16 parishes), fear of apprehension and deportation (15), lack of awareness of services (15), transportation problems (12), lack of status (11), and lack of staff or program leaders from key ethnic communities (6) as factors negatively affecting immigrants' access to their services.

In 2016, the Center for Migration Studies (CMS), the Catholic Legal Immigration Network, the US Conference of Catholic Bishops (USCCB) Secretariat for Cultural Diversity in the Church, and Catholic Charities USA partnered on two surveys — the "Survey of Catholic Parishes and Schools on Immigrant Integration" and the "Survey of Catholic Social and Charitable Institutions on Immigrant Integration" — that sought to identify obstacles to the work of Catholic institutions with immigrants (Kerwin and Barron 2017).

⁷The survey asked parishes, schools, and hospitals slightly different questions.

⁸A few respondents disagreed with the assumption that US immigration policies had negatively affected access to their programs. One explained that immigrants felt safe seeking services at Catholic institutions.

At the time, federal immigration policies did not impede the work of Catholic institutions with immigrants to the extent that the FEER Survey later found. The findings from these earlier surveys, however, closely align with those of the FEER Survey in other ways. In the two earlier studies, 59 percent of parish and school respondents identified transportation and 56 percent language as barriers immigrants must overcome to access their services, followed by cultural (44 percent), communication (cell phone and internet access) (41 percent), income (39 percent), and citizenship status (20 percent) (*ibid.*, 9). Similarly, 61 percent of charitable and social institutions identified transportation as a barrier that immigrants must overcome, followed by communication, language, culture, income, and citizenship status (*ibid.*, 26). Twenty-eight percent of respondents identified the “receiving community” as one of the “biggest obstacles” they faced in advancing immigrant integration, followed by funding (25 percent) and anti-immigrant policies (12 percent) (*ibid.*, 27).

CMS also asked FEER Survey participants, “What are the greatest obstacles you currently face in serving immigrants and their families?” The 134 respondents answering this question identified:

- Limited funding (70 percent);
- Increasing demand that outpaces resources (59 percent);
- Government restrictions (50 percent);
- Institutional, organizational, or other difficulties in recruiting or retaining linguistically and culturally competent staff and volunteers (44 percent);
- Hostility, prejudice, or indifference from the broader community (20 percent);
- Hostility, prejudice, or indifference from the Catholic community (10 percent); and
- Other (19 percent).

Among “other” obstacles to serving immigrants and their families, respondents identified:

- President Trump’s anti-immigrant rhetoric;
- The high cost of living in the service area;
- The disconnect between where immigrants live and where respondents provide services;
- Fear that initiating an immigration application or process will lead to deportation;
- Lack of experienced and affordable attorneys;
- Lack of volunteers;
- Lack of staff training regarding new immigration laws;
- Difficulty translating informational materials;
- Lack of interest from institutional leadership beyond offering minimal spiritual help;
- The ineligibility of undocumented persons for public benefits;
- Insufficient interpretation and translation services; and
- Loss of government funding.

Many of the 29 parish respondents (19) also identified limited funding as among their greatest obstacles to serving immigrants and their families. Only four Catholic schools responded to the survey. Of these, two identified family poverty and fear of deportation (of the student or a family member) as among the greatest barriers to the success of immigrant students. The few university and college respondents all identified lack of legal status as one of the greatest barriers to the success of their immigrant students. They also reported that federal enforcement “somewhat negatively” affects immigrant students’ participation in university or college-sponsored services or programs. As one respondent wrote, “Our students are less visible or involved in activities. There is also great fear of authorities visiting campus, which required us to get legal clarifications from counsel.” These responses suggest the need for a larger survey of Catholic schools and universities on the effect of immigration enforcement policies and fear on their students.

CMS also asked: “Has your community seen an increase in immigration enforcement since January 2017 (the beginning of the Trump Administration)?” Seventy-two percent of the 138 respondents answering this question reported an increase, compared to 9 percent who said there had not been an increase and 20 percent who did not know or were not sure.⁹

When asked how federal immigration enforcement affected immigrants’ participation in their programs or ministries, most of the 127 respondents reported that enforcement had very negatively (28 percent) or somewhat negatively (29 percent) affected their participation, while others said it had no effect (21 percent) or had a somewhat positive (10 percent) effect. Still others (12 percent) did not know or were unsure.

Finally, CMS included a question specifically focused on local enforcement: “If applicable, how has cooperation between ICE [Immigration and Customs Enforcement] and local law enforcement affected immigrants’ participation in your programs

⁹ Respondents to this question and the next one did not include parishes, universities, schools, and hospitals.

or ministries?” A total of 82 respondents, including parishes, answered this question. The low response rate may have been due to confusion over the status of local/federal enforcement partnerships, different levels of enforcement cooperation in the different jurisdictions served by respondents, or different law enforcement agencies in the same area (like sheriffs and police) with different relationships with ICE. Most respondents to this question said that cooperation between ICE and local law enforcement very negatively (24 percent) or negatively (33 percent) affected immigrant participation in their programs. However, 29 percent said it had no effect, 12 percent reported it had a somewhat positive effect, and 1 percent said it had a very positive effect.¹⁰

Most respondents to these two questions reported that enforcement had increased the need and demand for services like legal screening, updates on changes in the law, naturalization assistance, legal representation in removal proceedings, service to unaccompanied minors, and assistance to the families of detainees. One respondent said: “Due to increased deportations, we have more people seeking support. Due to changing immigration policies, we have more people seeking information and guidance.” Another reported: “Some have found that people are afraid to come out for services, while others are seeing an increase in people seeking information and services. For us, we are seeing increasing numbers of people accessing the resources we provide.” A third wrote:

People who were residents feared losing their status under [the] Trump administration, therefore we saw an increase in naturalization applications. People wanted to be informed or revisit whether they qualified for any immigration benefit. It forced people to become alert and take action as opposed to maybe not being a major priority before.

Of the three university and college respondents, one reported that well-publicized immigration enforcement events or announcements led to strongly increased advocacy or political activity by their students. One reported somewhat increased advocacy or political activity. And one remarked on the increased numbers of “motivated community members who wish to support affected immigrant families.”

Some respondents reported that lack of funding, resources, and capacity precluded their ability to respond to increased demand for their services. One described the acute need for increased funding for legal services:

There are many people in need of our legal services but we don't have the necessary funds to hire more experienced attorneys that can take on more cases. People come to us, especially people in removal proceedings but we have to refer people out and even then it is difficult for many to find affordable attorneys or help from other nonprofits because they are not accepting new cases.

Other respondents had hired new staff to meet the increased demand. Some had received federal funding to reunify families separated at the US–Mexico border by the administration's “zero tolerance” enforcement tactics.

Yet while fear of deportation has created more demand for services, some said that it also keeps many from attending know-your-rights sessions, legal consultations, and screening that might lead to immigration status. According to one respondent, “Immigrants are reluctant to attend events, such as KNOW YOUR RIGHTS for fear of gathering. They are also afraid of going to court since people are getting picked up there.” Participants in the March 11–13, 2019, gathering of the Catholic Immigrant Integration Initiative likewise reported on the sharp drop in attendance at citizenship workshops. “People hesitate to apply,” said one, “because they're afraid it might backfire in some way.”

Respondents also reported that immigrants are hesitant to leave home at night, to drive, and to apply for immigration benefits that require them to provide their addresses. Programs serving unaccompanied children reported that fewer sponsors were coming forward due to the Office of Refugee Resettlement's policy of sharing with ICE information on sponsors that could lead to their removal. A healthcare provider “strongly agreed” that immigrants were avoiding or delaying visits to hospitals or clinics out of fear of apprehension and deportation.

Closing Thoughts and Recommendations

In 2005, the House of Representatives passed the Border Protection, Antiterrorism, and Illegal Immigration Control Act of 2005 (HR 4437), which, among many other provisions, would have criminalized humanitarian assistance to undocumented immigrants and criminalized their very presence in the United States.¹¹ Faith communities – which viewed these provisions

¹⁰One respondent reported that ICE had expanded its local presence in response to the removal of the Section 287(g) enforcement program in several counties.

¹¹The champions of this bill have argued that the subsequent course of the US immigration reform debate has vindicated their earlier attempt to address the need for broad immigration reform. More likely, however, the bill laid the groundwork for the Trump administration's even more punitive approaches to immigrants and FBOs.

as an affront to their religious convictions and institutional commitments — played an active role in the ensuing rallies in opposition to the bill.¹²

Thirteen years later, FEER respondents report a range of policy factors, government restrictions, and poisonous rhetoric that also interferes with their core work. This finding is consistent with a growing body of work on the deleterious effects of enforcement on immigrant-serving FBOs. In the first five months of 2018, for example, CMS, the Kino Border Initiative, and the Jesuit Conference Office of Justice and Ecology conducted a study on the impact of deportation on deportees, their families, and communities. Researchers interviewed 133 deportees in Nogales, Sonora, and 21 family members of deportees and others affected by deportation in Catholic parishes in Michigan, Minnesota, and Florida. The faith communities viewed deportation as both an immense social problem and a barrier to their pastoral work because it divided families, depopulated parish communities, reduced attendance at mass and parish ministries, and interfered with the life plans of parishioners like marriage and having children (Kerwin, Alulema, and Nicholson 2018, 238–39).

Perhaps this conflict has been most apparent on the US–Mexico border, where the Trump administration has sought access to land that is owned by an historic Catholic chapel, a Catholic high school, and an oratory (Armus 2018). The administration seeks to survey, test, and investigate the land for future use related to construction of a border wall. Catholic leaders have argued, however, that these actions will obstruct access to Catholic services and programs, lead to loss of life, and violate religious freedom (Guidos 2019). The US Department of Homeland Security (DHS) depends heavily on FBOs at the border to provide shelter, food, clothing, bus fare, and orientation services to the record surge in migrants from Central America, Venezuela, and elsewhere (Miroff 2019). At the same time, however, criminal prosecutions of humanitarian workers who leave water, food, and other provisions for migrants have increased (Ludden 2019). These volunteers face prosecution for entering wildlife refuges without a permit, leaving aid in wilderness areas, littering (leaving provisions for migrants), trespassing, and harboring.

The FEER Survey offers a similar portrait of immigrants who are in great need but are reluctant to seek services and support for fear they will be arrested, detained, and deported. Some respondents reported that US immigration policies prevent immigrants from attending know-your-rights and legal screening sessions that might put them on a path to status. Beyond fear of apprehension, immigrants lack sufficient knowledge of the services available from FBOs; suffer hostility, prejudice, and indifference from the broader community; and face status, cultural, and logistical barriers to securing help and support.

FBOs instantiate a core conviction in the God-given dignity, rights, and equality of all persons, including those on the social margins like refugees, asylum seekers, unaccompanied children, divided families, detainees, persons without status, and low-income workers. Their work furthers a central purpose of states, which is to safeguard rights and promote the good of all of their residents. FBOs also require, however, a level of cooperation and freedom from intrusion by states to structure their work, realize their missions, and bring their unique gifts to bear on pressing human challenges.

Beyond their services, FBOs offer a moral vision on the purpose of states and the need for robust civil society institutions. In public discourse, for example, “sovereignty” has become synonymous with national defense and border control. Yet, states exist — according to the US Declaration of Independence — to secure the “unalienable rights” endowed to human beings “by their Creator.” This is a central tenet of Catholic social teaching as well. As Pope John XXIII (1963, 60, citing Pius XII 1941)¹³ put it:

It is generally accepted today that the common good is best safeguarded when personal rights and duties are guaranteed. The chief concern of civil authorities must therefore be to ensure that these rights are recognized, respected, co-ordinated, defended and promoted, and that each individual is enabled to perform his duties more easily. For ‘to safeguard the inviolable rights of the human person, and to facilitate the performance of his duties, is the principal duty of every public authority’.

One of these rights is freedom of religion. Article 18, Section (1) of the International Covenant on Civil and Political Rights recognizes the right to manifest religion or belief “in observance, practice and teaching” (UN General Assembly 1966). Freedom of religion encompasses “freedom of association for religious or charitable purposes” (Murray 1993, 145): this right extends not only to religious beliefs but also to the institutional commitments that effectuate them (UN Human Rights Council 2018).

The FEER Survey illustrates how harsh and intrusive immigration enforcement policies can interfere with the work of FBOs. A non-legally binding DHS memorandum provides that ICE agents generally should not carry out enforcement activities at places like schools, school bus stops, hospitals, places of worship, religious ceremonies, or public demonstrations. It provides, however,

¹²Similarly, in the intergovernmental negotiations on the Global Compact on Safe, Orderly, and Regular Migration, states soundly rejected the criminalization of humanitarian assistance to migrants, stipulating that “the provision of assistance of an exclusively humanitarian nature for migrants” was not to be “considered unlawful.”

¹³Furthermore, “[a]ny government which refused to recognize human rights or acted in violation of them, would not only fail in its duty; its decrees would be wholly lacking in binding force” (John XXIII 1963, 61).

that enforcement can occur at these “sensitive locations” if “exigent circumstances exist,” “other law enforcement actions have led officers to a sensitive location,” or ICE supervisors provide prior approval (ICE 2019). In other words, the DHS memorandum does not prevent enforcement activities at churches, homeless shelters, or legal services offices. Moreover, the memorandum does not speak to the ways that sweeping and indiscriminate enforcement policies effectively prevent immigrants from accessing necessary services and interfere with the work of FBOs with these populations.

Effective strategies to address the conditions driving migrants from Central America’s Northern Triangle states, Venezuela, Nicaragua, and elsewhere — coupled with broad reform of US legal immigration, humanitarian, and enforcement programs — should be a national priority. As an interim step, however, the sensitive locations memorandum should be codified in a regulation and expanded to prevent the taking of religious property and to restrict immigration enforcement activities near FBO programs, ministries, and services, and in other places where people’s conscience, faith, and well-being require them to be. This step would not preclude robust immigration enforcement policies or put immigrants and their families beyond their reach, but it would provide some measure of protection for their core rights and for those who express their religious convictions through FBOs.

Declaration of Conflicting Interests

The authors declared no potential conflicts of interest with respect to the research, authorship, and/or publication of this article.

Funding

The authors received no financial support for the research, authorship, and/or publication of this article.

References

- Armus, Ted. 2018. “In the Rio Grande Valley, Plans for a Border Wall Ignite Fight between Church and State.” *Texas Tribune*, December 19. <https://www.texastribune.org/2018/12/19/church-and-state-fight-mission-texas-border-wall/>.
- Campos, Sara. 2014. “The Influence of Civil Society in US Immigrant Communities and the US Immigration Debate.” In *International Migration, US Immigration Law and Civil Society: From the Pre-Colonial Era to the 113th Congress*, edited by Leonir Chiarello, and Donald Kerwin. New York: Scalabrini International Migration Network.
- CARA (Center for Applied Research in the Apostolate). 2019. “Frequently Requested Church Statistics.” Washington, DC: CARA. <https://cara.georgetown.edu/frequently-requested-church-statistics/>.
- Figgis, John N. 1913. *Churches in the Modern State*. London: Longmans, Green & Co. <https://archive.org/details/cu31924020347351>.
- Guidos, Rhina. 2019. “Judge Allows Survey of Church Property for Border Wall Construction.” *Catholic News Service*, February 7. <https://www.catholicnews.com/services/englishnews/2019/judge-allows-survey-of-church-property-for-border-wall-construction.cfm>.
- Hoover, Brett C. 2014. *The Shared Parish: Latinos, Anglos and the Future of US Catholicism*. New York: New York University Press.
- Hoover, Brett, and Hosffman Ospino. 2016. “Hispanic Ministry and Parish Life.” In *Hispanic Ministry in the 21st Century: Urgent Matters*, edited by Hosffman Ospino, Elsie Miranda, and Brett Hoover. Miami, FL: Convivium Press.
- ICE (US Immigration and Customs Enforcement). 2019. “FAQ on Sensitive Locations and Courthouse Arrests.” Washington, DC: ICE. <https://www.ice.gov/ero/enforcement/sensitive-loc>.
- John XXIII. 1963. *Pacem in Terris* [Peace on Earth]. April 4. http://w2.vatican.va/content/john-xxiii/en/encyclicals/documents/hf_j-xxiii_enc_11041963_pacem.html.
- Kerwin, Donald. 2018. “From IIRIRA to Trump: Connecting the Dots to the Current US Immigration Policy Crisis.” *Journal on Migration and Human Security* 6(3):191–203. <https://doi.org/10.1177/2331502418786718>.
- Kerwin, Donald, Daniela Alulema, and Mike Nicholson. 2018. “Communities in Crisis: Interior Removals and Their Human Consequences.” *Journal on Migration and Human Security* 6(4):226–42. <https://journals.sagepub.com/doi/full/10.1177/2331502418820066>.
- Kerwin, Donald, and Kyle Barron. 2017. “Building Structures of Solidarity and Instruments of Justice: The Catholic Immigrant Integration Surveys.” New York, NY: Center for Migration Studies.
- Kerwin, Donald, and Breana George. 2014. *US Catholic Institutions and Immigrant Integration: Will the Church Rise to the Challenge?* Vatican City: Lateran University Press. <https://cmsny.org/publications/us-catholic-institutions-and-immigrant-integration-will-the-church-rise-to-the-challenge/>.
- Kerwin, Donald, Robert Warren, and Mike Nicholson. 2018. “Proposed Public Charge Rule Would Significantly Reduce Legal Admissions and Adjustment to Lawful Permanent Resident Status of Working Class Persons.” New York, NY: Center for Migration Studies of New York. <https://cmsny.org/publications/2018-proposed-public-charge-rule/>.
- Lohr, Steve. 2018. “Top CEOs Denounce Trump Immigration Policy as Threat to US Economy.” *New York Times*, August 23. <https://www.nytimes.com/2018/08/23/business/trump-immigration-business-leaders-economy.html>.
- Ludden, Nicole. 2019. “4 No More Deaths Volunteers Found Guilty of Entering Refuge, Abandoning Property.” *Cronkite News*, January 17. <https://cronkitenews.azpbs.org/2019/01/17/no-more-deaths-trial/>.
- Miroff, Nick. 2019. “Ruben Garcia Has Sheltered Migrants in El Paso for over Four Decades. With a Crush at the Border, He Now Needs a Warehouse.” *Washington Post*, April 2. https://www.washingtonpost.com/people/nick-miroff/?utm_term=.bf188d0fe844.

- Murray, John Courtney. 1993. *Religious Liberty: Catholic Struggles with Pluralism*, edited by J. Leon Hooper, S. J. Louisville KY: Westminster / John Knox Press.
- Paul VI. 1965. *Gaudium et spes* [Joy and Hope]. December 7. http://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_const_19651207_gaudium-et-spes_en.html.
- Pius XII. 1941. "Broadcast Message, Pentecost 1941." June 1. In *Acta Apostolicae Sedis*, 33:200. <http://www.vatican.va/archive/aas/documents/AAS-33-1941-ocr.pdf>.
- UN General Assembly. 1966. "International Covenant on Civil and Political Rights." December 16. In *United Nations, Treaty Series*, 999:171. <https://www.refworld.org/docid/3ae6b3aa0.html>.
- . 2019. "Global Compact for Safe, Orderly, and Regular Migration" (A/RES/73/195). January 11. https://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/73/195.
- UN Human Rights Council. 2018. "Report of the Special Rapporteur on Freedom of Religion and Belief" (A/HRC/37/49). February 28.

Reproduced with permission of copyright owner. Further reproduction prohibited without permission.