



Task Force on Immigration Annual Report, April 2018

Signature Legislation

Gary Nissenbaum, Ted Fetter, and others have proposed a piece of legislation that UU FaithAction would sponsor and work with other advocates to develop support for the idea. The idea is simple. We want houses of worship, which are already deemed “sensitive locations” in federal government policy documents, to be allowed specifically to house persons who are vulnerable or under threat as an “accessory use” of the buildings and property of the houses of worship.

In New Jersey, there is whole body of law that regulates land use in many details. The laws and local ordinances that follow are monitored and enforced by local planning and zoning boards and their inspectors. Under our proposed legislation the Municipal Land Use Law would be amended to allow the religious body to set their own religious values to determine the “accessory use” of the property for homeless persons or persons who are in danger of deportation. Local officials would not be able to second-guess the religious body. The local officials would still be responsible to enforce codes of safety such as fire codes, but they could not make decisions about whether or not to house any particular person or category of person.

Currently there is one published opinion on the topic in New Jersey, but it is from the 1980s and it is only a trial court opinion. This would solidify the right of religious bodies to apply their own principles and determine the “accessory use” that the body permits.

We still have some opinion within the Task Force about this proposal, and it is not final. We hope it will be soon.

Initiatives

The significant initiative this past year of the task force has been the Sanctuary Challenge, also known as the Congregational Challenge. Our group has asked every New Jersey UU congregation to make a commitment of action related to immigrant justice. A few can offer Sanctuary space to those in danger of deportation, but most cannot. But others can support those congregations (UU and those of other faiths) that are able to offer physical Sanctuary. And they can do a great many other things as well; the task force prepared a list of more than twenty possible actions and asked congregations to consider a commitment of at least three.

At this FaithAction meeting, we will be recognizing the first group of congregations that have stepped up their commitment to immigrant justice. Others can be recognized in future meetings. We are glad to report that many congregations have responded very positively to this challenge.

Coalition Work

Our task force has worked with a number of state and local coalitions. The most significant is the New Jersey Alliance for Immigrant Justice (NJAIJ). We have worked with them to develop their ideas and strengthen their

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networks. We have marched and demonstrated with them, on issues such as DACA and deportations and conditions in detention centers in New Jersey. We have followed their lead in state legislation such as a bill to permit undocumented persons to achieve a driver's license in the state, following the example of 12 other states and the District of Columbia. We have also taken their models to local governments to enact fair and welcoming resolutions and police department policies.

State Legislation

There are two significant bills we are working on. One is the driver's license legislation for undocumented persons, now demonstrated in A1738. We expect it to be ready to move in another couple of months, and we've been part of strategy sessions and planning. The other proposal would provide the opportunity of state financial aid for Dreamers – persons brought to this country by their parents and who are undocumented but who have lived practically all of their lives in the US and most often in New Jersey. A few years ago those students were able to get instate tuition levels, but Governor Christie line-item-vetoed the provision of that 2013 act that would have allowed them to apply for state aid.

Local Initiatives

Finally, we have followed the suggestions of NJAIJ and approached a number of municipal and county governments and police departments to assure that their policies do not treat immigrants unfairly. The gist of these proposals is to cooperate with federal immigration enforcement, or ICE, only so far as is required by law, and not to voluntarily supply information or detain persons who are ready under state law for release.

A few counties in New Jersey have adopted agreements with the Department of Homeland Security and ICE which are called 287(g) agreements. In addition to cooperating with ICE with information, under 287(g) the county also accepts immigration detainees in their jails and receives payment from the federal government for doing so. It is a very undesirable practice. Earlier this year, in a major move, Hudson County rescinded its 287(g) agreement. It's not accurate to say that our task force had much to do with that county decision, but Steve Ramshur of our task force, and of the Montclair congregation, was a significant advocate for Hudson County's decision.

Respectfully submitted,

Ted Fetter, chair of the task force

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