

## Unitarian Universalist Church of Columbia, Missouri Sanctuary Questions and Answers



### 1. What is sanctuary?

The original concept of religious spaces as sanctuary for refugees is rooted in Judaism. The ancient Hebrew people allowed temples and even whole cities to declare themselves places of refuge for persons accused of a crime which they may not have committed. This practice allowed those wrongfully accused to escape swift and harsh retribution until they could receive a fair trial.

In the late Roman Empire, fugitives sometimes found refuge in Christian churches. Later, during the medieval period, the English common law permitted an accused felon to seek sanctuary in a church, and then choose either to submit to trial or to confess and leave the country.

In the United States, the first practical case of anything like sanctuary occurred in the years before the Civil War, when slaves fleeing through the Underground Railroad found safety along the way in churches and private homes throughout the country. Another example occurred during the Vietnam War, when some churches opened their doors to young men resisting the draft. This gave temporary refuge to the resisters, and allowed the congregations to amplify their religious message against war.

In the 1980s, refugees from military oppression and civil wars in Central America began to flee to the United States. The U.S. government did not recognize them as political refugees, even though many were threatened by death squads in their home countries. The Sanctuary Movement was born in response, first established at the Southside Presbyterian Church in Tucson, Ariz. At its strongest, the movement included over 500 congregations that collaborated to move refugees through the United States to safe houses and safe congregations.

Several decades later, beginning in 2007, the New Sanctuary Movement took shape among coalitions of congregations in cities throughout the country. As immigration raids in neighborhoods and work places escalated these congregations opened their doors to provide

refuge to those facing deportation. The New Sanctuary Movement helped stop thousands of deportations through case-by-case advocacy.

## **2. What is the UU history and tradition of sanctuary?**

Our congregations have exercised their faith in the inherent worth and dignity of all people since our earliest history by providing shelter and succor to those experiencing oppression. Some Unitarian and Universalist individuals and communities were participants in the Underground Railroad and anti-slavery movement in the United States. The founding of the Unitarian Service Committee was an effort to help migrants and refugees escape Nazi occupation leading up to World War II. And the Unitarian Universalist Association (UUA) and the Unitarian Universalist Service Committee (UUSC) were both deeply involved in supporting the Sanctuary Movement of the 1980s.

In May 2007, the UUA became the first national religious denomination to endorse the New Sanctuary Movement, grounding this support in UU history with the original Sanctuary Movement, our sources and principles, and prior statements by the UUA General Assembly regarding immigration. These statements strongly condemn the current immigration system, support immigration reform, and encourage support for immigrants, regardless of immigration status. In 2013, the General Assembly passed a Statement of Conscience titled "Immigration as a Moral Issue."

In January 2017, the UUA and UUSC together issued a new Declaration of Conscience denouncing the first Executive Orders from the Trump administration and calling on our faith communities to translate our values into active resistance. Several UU congregations are currently providing sanctuary, and 44 UU congregations have declared sanctuary status.

## **3. What would we be asked to do if we decide to become a sanctuary congregation?**

We would first be asked to publicly declare our status as a sanctuary congregation. The more congregations that declare this status, the safer it becomes for congregations and for those seeking sanctuary.

We would be asked to be a part of a network of churches and individuals offering public advocacy in support of immigrants, refugees, and others at risk in the current political climate, and to be a part of a network offering education opportunities for individuals to know their legal rights.

We would be agreeing to offer physical sanctuary to an individual or family as a legal strategy for negotiating a legal stay of deportation for as long as such a legal process requires. This could be as short as days, more commonly weeks or months, or in some rare instances as long as a year or more. This person would live for that period of time on our property.

A request to offer physical sanctuary could come days, weeks, months, or never, after declaring sanctuary, depending on our ongoing local situation and context.

#### **4. Who would take sanctuary?**

Most often, an individual without legal immigration status takes sanctuary as a legal strategy to avoid deportation while negotiations are ongoing. Sanctuary is not an indefinite living situation, but a means to gain some kind of legal status to return to one's life and/or family in the United States.

The Faith Voices Sanctuary network would vet potential sanctuary recipients by standards mutually agreed upon by the network and the sanctuary congregation - such as good potential for legal victory, lack of violent criminal offenses, etc. The sanctuary congregation would always have final say in the matter.

#### **5. Would we be acting alone?**

Not at all.

Our local Faith Voices chapter is creating a broad network of individuals and congregations in Columbia who will provide substantial logistical, volunteer, legal, and financial support to the efforts of sanctuary congregations.

In addition, national sanctuary networks provide legal and advisory resources in partnership with churches across the country and large organizations such as the ACLU.

Our Unitarian Universalist Association supports and encourages the work of sanctuary congregations with free consulting and other resources. At this time 44 Unitarian Universalist congregations across the country have declared themselves sanctuary congregations.

#### **6. Can the church as an institution be held legally liable?**

While there is some risk of the church as an institution being held liable under laws against harboring persons not authorized to be in the U.S., over the last forty years no congregation has been prosecuted for allowing undocumented people to find shelter and safety in its house of worship.

In previous court cases in other circuits, harboring has been interpreted to involve the intent to conceal, whereas sanctuary is a public act with no intent to conceal. To our knowledge the federal circuit court of appeals presiding over our area has never ruled in such a case one way or the other.

There is no law providing for sanctuary, but federal agents are advised by longstanding written federal policy that they are to avoid entering "sensitive areas," including churches, hospitals, schools, mosques, temples and synagogues. Though we do not know if this policy will continue

in the current administration, immigration officials know that if they went into a house of worship to make an arrest they would have a public relations challenge on their hands.

However, if such a situation were to arise and immigration officials came to a sanctuary church with a warrant, the network encourages that we not break the law by preventing their entry, but rather document, witness, and activate a rapid response network to provide physical presence of protest and press attention to the situation.

## **7. What about possible legal liability for individual church members?**

UUCM is registered as a Missouri non-profit corporation. Under Missouri law, individual members cannot be held personally liable for the actions of the church, according to Missouri Revised Statute 355.197, subsection 1.

An individual member would only be legally liable if they, personally, decided to break the law, such as by blocking the entrance of law enforcement with a legal warrant. While each individual may make their own choices in such instances, such behavior is not requested or encouraged.

## **8. What are the practical and logistical considerations?**

A person entering sanctuary cannot leave the site of sanctuary until their legal case is resolved, unless the person decides to give up and end the sanctuary and risk arrest and deportation, which would be extremely rare. This means the person needs a room to live in, access to food and kitchen facilities, bathing facilities, and good internet. Company is also important and our Faith Voices network is recruiting a large cadre of volunteers to provide logistical support such as meals and company.

Regarding physical space, we have identified a classroom that is not in regular use and have consulted with facilities volunteers about a strategy to create a showering solution. The individual would require regular access to the downstairs kitchen.

We know that living space in the lower level of a church is not ideal for an individual, or for the convenience of church programs. Yet, the alternative in cases of sanctuary is often between an imperfect but compassionate living situation in sanctuary vs. detention with little legal recourse in for-profit and inhumanely run detention centers.

## **9. What are other risks?**

We don't know all of the risks and benefits of an act of faith like declaring sanctuary. We do know that some congregations have received hate mail or vandalism because of their position on this and other progressive issues.

Truly, the biggest question for us to consider in this decision is this: Where does our capacity for risk meet the calling of our faith in these times?