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## **Statement of Lutheran Immigration and Refugee Service**

**Submitted to the House Subcommittee on Immigration, Citizenship, Refugees, Border Security, and International Law of the Committee on the Judiciary**

**For the February 13, 2008 Hearing on  
Problems with ICE Interrogation, Detention, and Removal Procedures**

Lutheran Immigration and Refugee Service (LIRS) is the national agency established by Lutheran churches in the United States to carry out the churches' ministry with uprooted people. LIRS is a cooperative agency of the Evangelical Lutheran Church in America (ELCA), the Lutheran Church-Missouri Synod (LCMS), and the Latvian Evangelical Lutheran Church in America, whose members comprise about 7.5 million congregants nationwide. Founded in 1939, LIRS has assisted and advocated on behalf of refugees, asylum seekers, unaccompanied children, immigrants in detention, families fractured by migration, and other vulnerable populations. LIRS provides services to immigrants through over 60 grassroots legal and social service partners.

### **Executive Summary**

For this statement, LIRS contacted Lutheran congregations in several towns and cities in Texas, Pennsylvania, New York, and New Jersey and asked bishops, pastors, and lay members how Immigration and Customs Enforcement (ICE) policies on interrogation, detention and removal have impacted immigrants and the broader church community. Nationwide, Lutheran congregations have significant immigrant membership and to meet these members' needs, congregations provide extensive services and ministry, including pastoral counseling, multilingual legal and social services, ESL classes, and visitation at detention facilities.

Increasingly Lutheran leaders and members are expressing concern that the aggressive and punitive tactics ICE has used are hurting not only the individual targets of these policies but also entire congregations and their communities. Lutherans report that raids and other apprehensions are spreading fear in both immigrant and non-immigrant communities that is making community members distrustful of the government. After raids occur, congregants notice that fellow members disappear and that the raids are tearing families apart, splitting husbands and wives, parents and their children, including many who are U.S. citizens. Legal immigrants are leaving their congregations and communities, reporting that they feel like unwelcome guests in their own neighborhoods.

Lutherans are dismayed by our federal government's skyrocketing use of detention upon thousands of asylum seekers, families with children, and other vulnerable groups. Community members are asking why the government is spending billions of dollars to jail immigrants who pose no threat to public safety or national security. In fact, last year, ICE spent more than \$1.2 billion to detain 320,000 immigrants.

Across the country Lutherans are now asking: Is raiding homes and locking up families making us more secure? Is this how we should treat people who are living and working in our communities? Are these approaches strengthening our communities? Or are they hurting us?

Lutherans are concluding that ICE's practices are overly aggressive, inhumane, and ultimately erode our communities' values and sense of unity. Lutheran congregations have responded in the following ways:

1. Providing spiritual counseling to those who are fearful that they will be detained and deported or who have had friends and family that have been detained or deported;
2. Assisting with social and legal services for families who have members that are detained or deported;
3. Visiting individuals in detention facilities and providing them support and counseling;
4. Protesting the detention of immigrants and their poor treatment by holding vigil outside detention facilities;
5. Issuing church-wide resolutions expressing concern for those impacted by raids, detentions and deportations and calling upon the government to end such practices.

### New Jersey

In New Jersey, raids have taken place in many cities with active Lutheran congregations, including Jersey City, Newark, Union City, Trenton, and Weehawken. Across the state, there are five facilities that ICE uses to detain about 1,000 immigrants on any given day. Pastors report that congregations have been shocked by the violent and intimidating manner raids have been conducted, including incidents where weapons were drawn upon young children. In November 2007, New Jersey ELCA Bishop Roy Riley recounted at the National Press Club how a congregation member had to hide under the floorboards when federal agents raided the factory where she worked. Everyone but her was hauled away forcing the factory to close. The woman was attending the adult English class at the Good Shepherd Lutheran Church in Weehawken and during class shared her story with the pastor. Still terrified days after the incident, she kept asking what would have happened to her son if she was taken.

After several congregations experienced the painful loss of immigrant members who have been detained and deported, the ELCA New Jersey Synod passed a resolution calling attention to the government's inhumane treatment of immigrants. The 2005 resolution called upon:

“congregations ... to respond in love, spiritual care, and support for those who are detained ... through visits, letters, prayer, and assistance; and

“Congress and the administration to immediately end the detention and imprisonment of non-criminal asylum seekers, undocumented laborers and others, in jails or jail-like facilities.

The New Jersey ELCA Synod has formed a statewide Immigration Task Force which began a ministry for detainees that includes visits to the facilities and a weekly vigil at the largest facility in Elizabeth, NJ.

**Reverend Birgit Solano, Good Shepherd Lutheran, Weehawken, New Jersey,**

The New Jersey ELCA Synod established the Good Shepherd as part of a broader strategy to reach the state’s growing Latino population. Currently, 80 percent of the congregants are Latino, primarily, Cuban, Salvadoran, Mexican, Peruvian, Colombian, and Venezuelan. Rev. Solano observed that raids and other aggressive tactics hurt the entire community. On Ash Wednesday only a few weeks ago, a church member came with her daughter and asked for prayer for her ex-husband who had been detained at the Elizabeth Detention Facility pending deportation. The mother and daughter were crying, and Rev. Solano recounted how the entire day’s services were marked by grieving and concern for the family. The man has been in the United States for 16 years. In another case, Rev. Solano described a 10-year-old U.S. citizen boy who always seems fearful that his parents will be deported. He seeks counsel at church and prays that the next eight years will pass quickly so that he will be eligible to sponsor them for visas. Once he “saves his parents,” he says, “everything will be fine.”

Rev. Solano feels overwhelmed and fearful for her Lutheran community. Concerns about raids, detentions and deportation are present at every meeting, sermon, or discussion. Everybody is afraid. The community was shocked when ICE detained a long-standing church member from El Salvador in front of his family after he applied for U.S. citizenship. Before obtaining his lawful permanent resident status 15 years ago, the man was convicted for a misdemeanor. Rev. Solano obtained an immigration attorney to represent him, but in the meantime, the detention has caused great pain to church members who have seen the family’s young children deeply affected by the separation from their father.

Rev. Solano, herself, a lawful permanent resident, reported how her daughter was briefly detained in Detroit airport after her name appeared on the security database. She said the fear of the government has spread throughout the community, including to U.S. citizens and legal immigrants. In addition to spiritual counseling that staff at the Good Shepherd provide, a sister congregation, the Christ-St. John Lutheran Church in West New York, NJ established a legal advice clinic for congregants. The church is helping a Salvadoran family lodge a complaint after the immigration authorities conducted a raid on their home at 2:00 a.m. waking up everyone including young children. Many congregants participate in the vigils at the Elizabeth facility.

**A Lutheran congregation in Linden, NJ\***

The pastor from a Lutheran congregation in Linden regularly visits the Elizabeth Detention Center, focusing in particular on Portuguese speaking detainees from Africa and Latin America. At the facility, the pastor speaks to detainees through a glass partition, and conversations are monitored. Most detainees are too afraid to complain about conditions of detention even though

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\* Name withheld at the request of the interviewee.

the poor treatment is well-known. Many do complain of substandard medical care, telling the pastor they only receive treatment if their situation is urgent. The detainees are frightened, desperate, and often suffer from mental health or physical ailments. Seeing the plight of immigrant detainees, many of the congregation's members were moved to participate at weekly interfaith vigils at the Elizabeth facility. Each Sunday, church members gather, pray, and sing as a way of protesting the inhumane detention conditions that they view as inhumane and immoral. The pastor is also a member of the New Jersey Synod Immigration Task Force.

## Texas

### **Reverend Mark Junkans, Lutheran Innercity Network Coalition (LINC), Houston, TX**

As director of LINC, a Lutheran urban outreach program of the LCMS Church, Rev. Junkans observed that raids and detentions have devastated the communities they serve, dividing families when men are deported and women and children are left behind. Two recent local raids on large manufacturing companies resulted in the detention of more than 40 people. Rev. Junkans recounted the case of a family from Guatemala: a couple with three children, 2, 4, and 7 years-old. In late 2007, the husband was detained by ICE while he was at work and was placed in immigration removal proceedings. For one week after the husband was detained, the wife was unable to obtain any news about his whereabouts putting her and the children in severe distress. LINC helped identify the facility where he was detained and is trying to find an immigration attorney to represent him. In the meantime, the wife is desperate, as she has no source of income and takes care of their three small children. She knows the family will be separated for many months while the husband is in detention, or even years if he is deported.

The raids, Junkans said, affect not only the detained individuals and their immediate families, but relatives, neighbors and Lutheran church members who worry that raids are eroding trust in their communities. LINC provides spiritual counseling to its members and has seen dramatic increases in the requests for help and assistance. LINC has also engaged an immigration lawyer who is making presentations to immigrants about their legal rights. It is now applying for accreditation to establish a clinic to represent immigrants before the Board of Immigration Appeals.

### **Reverend Rodrigo Fernandez, St. Timothy Lutheran Church in Houston, TX**

Reverend Fernandez provides counseling to many congregants who fear that they or their friends and community members will be deported. As the leader of a new Hispanic congregation, Rev. Fernandez has seen signs of panic and depression in his parishioners, some who have witnessed raids and seen how frightened children become during raids in their neighborhoods. He frequently receives requests for prayer for persons who are detained or awaiting deportation.

### **Reverend Jhon Arroyave, Holy Cross Lutheran Church, Houston TX**

Rev Arroyave serves a congregation largely comprised of immigrants from Mexico, Guatemala, and Honduras. Recently Holy Cross has provided counseling and support to four or five families whose parents have been deported leaving behind U.S citizen children. In most cases, the parents have been living in the United States for many years and the children attend school. But detentions and deportations happen so quickly that families have no time to prepare for the extended separation or to find alternative sources of income, care and support.

## Pennsylvania

In Pennsylvania, the state with the third largest Lutheran representation, the ELCA has had a long-standing commitment to welcome immigrants and newcomers. The ELCA has grown increasingly concerned that raids are proving divisive to their community. Reverend Linda Theophilus of Emmanuel Lutheran Church in Pittsburgh said congregants have reported that raids in Pennsylvania are taking place at small business facilities with pervasive effects on residents and communities. At the shopping mall at Robinson Township, ICE and local police stopped cars that failed to make full stops at stop signs as a pretext to ask for documentation of drivers and passengers. About 14 people were detained in such stops in recent weeks. People are afraid to go outside and many fear attending church.

Concerns over the treatment of immigrants detained in Pennsylvania facilities compelled the Southwestern Pennsylvania ELCA Synod to pass a resolution in 2001 calling upon church leadership and members to:

“respond in love with spiritual care and expressions of support for those who are detained... such as visitation, letters, prayer,” and

“call upon the Congress and the Administration to end expedited removal and prolonged detention, to require an independent review of ... custody decisions and to avoid prison conditions and any demeaning treatment of asylum seekers and others when detention cannot be avoided.”

## New York

### **Reverend Khader El-Yateem, Salam Arabic Lutheran Church, Brooklyn, NY**

Beginning with threats and hate violence against Rev. El-Yateem and church members after the 9/11 terrorist attacks, the largely Arab Lutheran congregation has felt increasingly targeted as an immigrant community from the Middle East. The recent escalation in raid activity and ICE detentions has compounded the feeling that the whole community is threatened. Rev. El-Yateem reported that ICE raided the home of a church member, detained him, and after a month in detention, released him on bail pending his removal proceedings. The congregation organized legal assistance for him. Another member attending services at the church was recently deported to Jordan after being detained at a public market. He had been in the United States for 17 years, owned two houses, and was a successful business man. After Rev. El-Yateem's last visit to Jordan, ICE detained him for three hours at the airport. To avoid harassment, some members of the congregation are leaving the country. These incidents brought the entire congregation together as many felt the raids and deportations were linked to discrimination and targeting of Arabs.

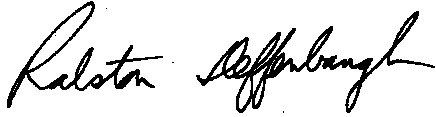
## **Conclusion**

LIRS urges Congress to put an end to ICE's use of raids and the other aggressive and punitive approaches being applied nationwide. Congress must also scale back its use of detention for immigrants, which is costing our taxpayers over a billion dollars each year. Instead, LIRS calls

for more humane and balanced solutions to the complex issue of immigration that take into account their contributions to our economy and our communities. LIRS urges Congress to show leadership at this critical time by bringing strength, unity, and hope back to our communities.

LIRS welcomes your questions and asks that you direct them to Gregory Chen, Director for Legislative Affairs, 202-626-7933, [gchen@lirs.org](mailto:gchen@lirs.org).

Sincerely,

A handwritten signature in black ink that reads "Ralston Deffenbaugh". The signature is written in a cursive style with a large, sweeping initial "R".

Ralston H. Deffenbaugh, Jr.  
President