

Title: Opposition to Detention and Surveillance of Immigrants and Asylum-Seekers

Resolved, That the 80th General Convention of The Episcopal Church advocate for an end to detention and other unjust immigration policies, envisioning a just society in which everyone, regardless of national origin, has basic human rights including livelihood, family unity, self-determination, and physical and emotional safety; and be it further

Resolved, That this Convention of The Episcopal Church ~~deplore and specifically call for~~ **opposes and specifically calls for** an end to the U.S. government's policy of immigration detention, which is clearly at odds with human welfare and dignity and is also expensive, ineffective, and unnecessary; and be it further

Resolved, That this Convention also oppose and call for the U.S. government to cease using electronic monitoring and surveillance of immigrants as an "alternative" to detention, including ankle monitors and mobile-phone-based surveillance technologies, which unjustly deprive them of liberty and privacy and threaten the human rights of all people; and be it further

Resolved, That this Convention direct the Office of Government Relations and urge all Episcopalians to advocate for our government to address these serious shortcomings in our treatment of the "strangers in our midst" by advocating for elimination of detention and surveillance in favor of proven policies that:

- Provide *true* community-based and community-supported alternatives to detention
- Fund non-governmental non-profit organizations to deliver case management support based on individualized needs assessments, including the provision of clear information regarding participants' rights and obligations with regard to immigration processing and the consequences of non-compliance
- Include referrals to community-supported services, including legal services, social services, and medical and mental health support
- Treat asylum seekers and migrants with dignity, humanity, and respect, assuring that any restrictions and compliance obligations placed on participants are the least onerous possible

Explanation

The vast majority of non-detained immigrants appear voluntarily for their immigration court hearings: From 2008 to 2018, 83% of non-detained immigrants attended all of their hearings, and 96% of nondetained immigrants represented by a lawyer attended all of their hearings.

Nevertheless, US Immigration and Customs Enforcement (ICE) holds tens of thousands of people daily in the equivalent of pretrial detention, without appointed counsel and often without access to bond hearings. Each year, ICE uses several billion taxpayer dollars to jail and deport people who have lived in the United States for decades, including parents of U.S. citizens, and people who arrived recently seeking safety or a better life. They are held in one of more than 200 prisons, jails, and prison-like complexes rife with systemic racism and abuse. These facilities are largely operated by private companies and are remote and isolated.

ICE has also excessively deployed electronic surveillance of immigrants who would not otherwise be detained. Originally proposed in 2004 as a more "humane" alternative to detention, supposedly with

the goal of reducing the number of detained immigrants, the electronic surveillance program now monitors more than 180,000 immigrants at any given time. The government is seeking to expand the program to 400,000 by the end of 2022.

Moreover, electronic surveillance has not been used as an alternative or substitute for physical detention. Instead, the two programs have grown side-by-side. Between 2006 and 2021, the budget for detention expanded from \$1 billion to \$2.8 billion while the budget for electronic surveillance grew from \$28 million to \$475 million.

Fortunately, effective and humane alternatives to detention and electronic surveillance do exist. In 2015, a collaborative of more than 400 civil society organizations known as the International Detention Coalition (IDC) completed a wide-ranging analysis of more than 250 examples of alternative programming in 60 different countries. Their report found that successful models engage individuals in the immigration process through informative and community-supported programming, contributing to “positive compliance, case resolution, cost, and health and wellbeing outcomes.”

A fact sheet published by Episcopal Migration Ministries and the Office of Government Relations states that: “The Episcopal Church has **longstanding General Convention policy** advocating for humane and dignified alternatives to detaining immigrants, acknowledging that the current system of immigrant detention denies asylum seekers and other immigrants due process and holds them for months in often unsafe, unsanitary, and inhumane conditions.” However, recent immigration- and incarceration-related General Convention resolutions (2009-B006; 2012-D059; 2015-A011; 2018-A178; 2018-D009; 2018D029) do not explicitly oppose the continued existence of the immigrant detention system. They also do not make it clear that electronic surveillance is a growing societal problem rather than an acceptable “alternative” to physical detention.

Therefore, the proposed resolution is needed to update and clarify TEC’s position on these important human rights issues. We must add our church’s voice to the growing chorus of faith-based and social justice organizations that are calling for the US government to end its unjust detention and surveillance policies and replace them with proven, community-based alternatives that are more effective, less expensive, and far more humane than the existing approaches.

Supporting Documents

1. [11 Years of Government Data Reveal That Immigrants Do Show Up for Court](https://www.americanimmigrationcouncil.org/news/11-years-government-data-reveal-immigrants-doshow-court). Report published by the American Immigration Council, based on analysis of 11 years of government data on the rate at which immigrants appear for hearings in U.S. immigration court.

<https://www.americanimmigrationcouncil.org/news/11-years-government-data-reveal-immigrants-doshow-court>

2. [A Better Way: Community-based Programming as an Alternative to Immigrant Incarceration](#). Report published by the National Immigrant Justice Center showing that community-based case management programs have proven successful and describing three specific real-world examples.

<https://immigrantjustice.org/research-items/report-better-way-community-based-programmingalternative-immigrant-incarceration>

3. Congressional letter of February 22, 2022 to Alexandro Mayorkas, Secretary of Homeland Security, deploring the rapid growth of electronic surveillance programs as an “alternative” to immigrant detention and calling for an end to these programs. The letter is signed by 24 members of congress and endorsed by more than 150 community organizations.

[https://docs.google.com/document/d/1Bat4_1rovzm6LLwyT4wZNRYPWA6MCHkT/edit?usp=sharing &ouid=108291346453251416518&rtpof=true&sd=true:](https://docs.google.com/document/d/1Bat4_1rovzm6LLwyT4wZNRYPWA6MCHkT/edit?usp=sharing&ouid=108291346453251416518&rtpof=true&sd=true)

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